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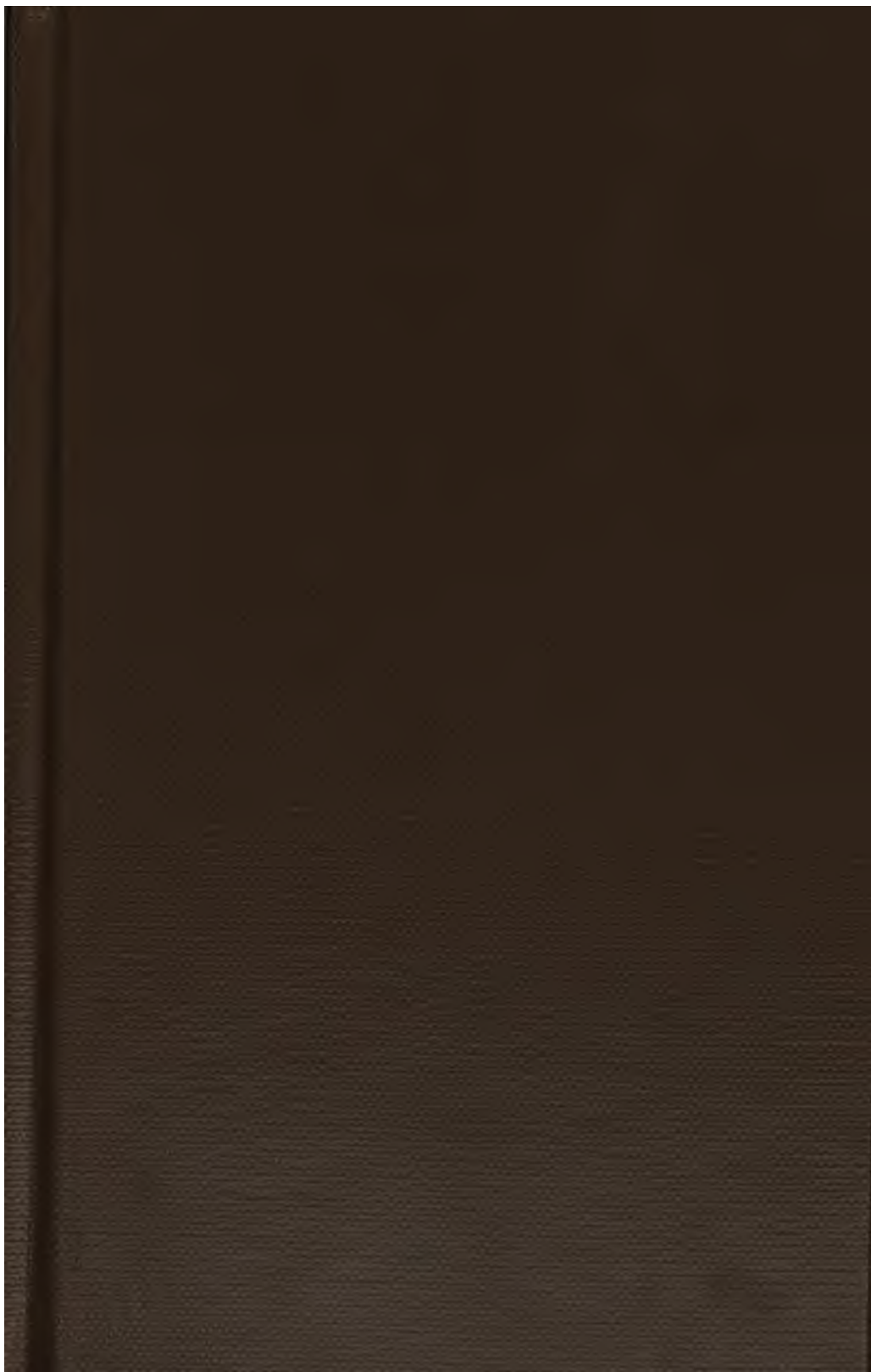
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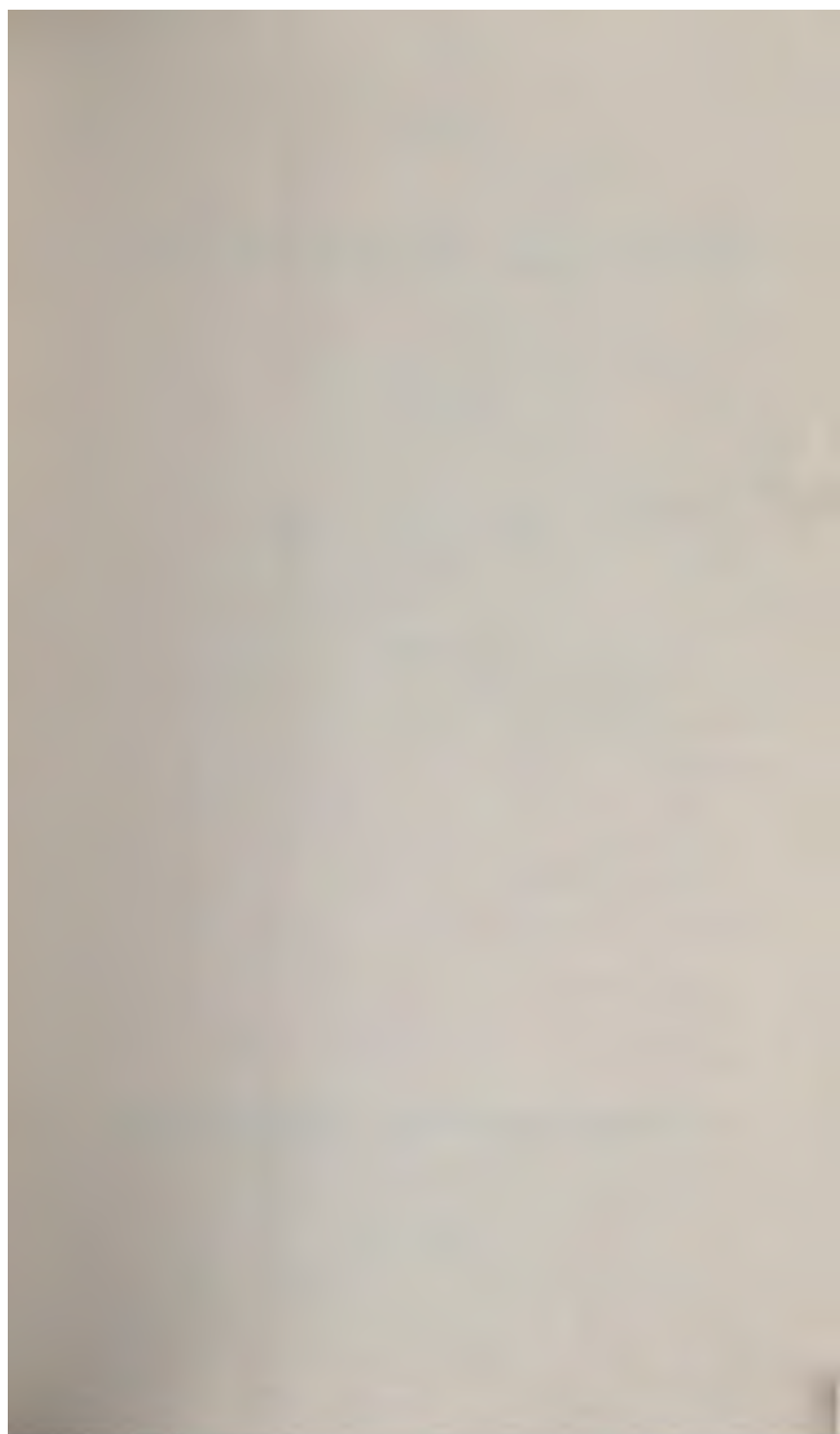
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THE
QUARTERLY REVIEW.

VOL. XXXVII.

PUBLISHED IN

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THE QUARTERLY REVIEW.

ART. I.—*Two Years in New South Wales ; a Series of Letters, comprising Sketches of the actual State of Society in that Colony ; of its peculiar Advantages to Emigrants ; of its Topography, Natural History, &c., &c.* By P. Cunningham, Surgeon, R.N. 2 vols. 12mo. London. 1827.

THE days are gone by when an author, to beget the serious attention of his readers, deemed it a matter of indispensable necessity to procure the meretricious aid of ‘laudatory epistles,’ or ‘commendatory verses,’ from his very good friends and patrons. All that an author of the present time feels himself called on to do, is to state, in a brief preface, his claims to be considered competent to the task he has undertaken. Mr. P. Cunningham has modestly and satisfactorily acquitted himself of this duty: he has, it seems, made no less than four voyages to New South Wales, as surgeon-superintendent of convict ships, in which were transported upwards of six hundred convicts of both sexes,—whom he saw landed at Sydney without the loss of one single individual;—a fact of itself quite sufficient to attest his judgment and ability in the treatment and management of a set of beings not easily kept in order. He has besides resided two years, at occasional intervals, in the colony, and has travelled over a considerable portion of it; he has enjoyed, he tells us, the society of the most thriving and respectable inhabitants of Sydney;—and, lastly, he has had the fortune to be brought into contact, in a variety of ways, with the aboriginal natives.

With such opportunities of acquiring knowledge, and the talent of observation which he obviously possesses, it would have been difficult for Mr. Cunningham to produce any other than an amusing and instructive book.

We do not pretend to say that the perusal of his performance has added much to the knowledge of this colony which we had previously obtained from Commissioner Bigge’s reports, and Wentworth’s recent volumes; but the information is conveyed in a more agreeable manner than in either of those collections, and in somewhat better taste than the latter of these gentlemen has thought proper to adopt:—not that we think there is much to be said in favour of Mr. Cunningham’s style, which constantly sins against good taste and the sober march of narrative, by the too frequent

introduction of low and vulgar phrases, hackneyed terms of the 'fancy,' and coarse attempts at wit, not much calculated to please the generality of his readers, however indulgent they may wish to be in granting every allowance for the license of epistolary correspondence.

Our first impression was, and a more attentive perusal has not removed it, that Mr. Cunningham has rather overrated the beauties and advantages of this southern paradise, which 'a receptacle proves to spirits foul,' in assigning to it the palm of superiority over the United States of America and the Canadas, 'as an eligible asylum for an agricultural emigrant.' The reasons which he gives for this predilection are, that in North America there is no unlocated ground to be obtained within a thousand miles of the sea-coast; that wherever land is obtained, it must be purchased; that its produce must be sent by land and water-carriage from one to two thousand miles, before it reaches the place of exportation: while, on the other hand, in New South Wales, abundance of land may be had within from fifty to a hundred and fifty miles of the coast, upon terms neither irksome nor burdensome. Upon which we may observe that, if Mr. Cunningham had been as well acquainted with the British possessions in North America as he is with those in New South Wales, he would have known that, instead of a thousand miles from the sea, better land than any yet discovered in his favourite regions may be had on the coasts of Nova Scotia, New Brunswick, and the shores of the gulf and river of St. Lawrence, within one-tenth or even one-twentieth part of that distance, and on terms quite as easy as those he has so zealously extolled for their moderation.

Then, again, in America the forests are so dense that a cart can hardly pass them, while in New South Wales the land is so thinly timbered, that a carriage may be driven over it in all directions. This, no doubt, is an advantage for the new settler. In America, cattle require to be supported, in the winter, on hay; whilst the climate of New South Wales is so mild, that they may be fed through the whole of that season on the native grasses: and here too, we admit, is another advantage in favour of New South Wales. In America; moreover, labourers are so scarce, labour so dear, and agricultural products so low in price, that the settler, to obtain a moderate profit for the outlay of capital, must perform all the field-labour by his own hands and those of his family; whereas, in New South Wales, labourers are plentiful and labour cheap. In addition to all those advantages, (and, perhaps, more important,) the healthiness of the climate of New South Wales is so remarkable, that there is no danger either of measles, whooping-cough, small-pox, ague, remittent fever, or, indeed, as our
author

author informs us, of any fever but the *rum* fever. Here, certainly, if the statement could be literally relied on, would be advantages which neither America nor Europe herself can match.

Mr. Cunningham would, perhaps, have come nearer the truth had he confined his comparative statement to New South Wales and the United States. On the sea-coast of Brother Jonathan, 'the table is full;' the new settler has very little chance of a 'location' within a thousand miles of the sea-coast, and when he gets it, he is liable to the various inconveniences reckoned up by Mr. Cunningham, fevers and agues not being accounted among the least. Either country has its peculiar advantages; and were we to enter upon the interminable question of emigration, which we have no intention of doing here, we should say that the one which is the easier of access to the settler, especially the poor emigrant, deserves his preference. In many respects the two countries may both be compared and contrasted with each other. Their original establishment, for instance, was pretty nearly modelled on the same plan. The sarcastic remark of a keen, but coarse and profligate writer, that 'the Adam and Eve of this new paradise came out of Newgate,' is more strictly applicable to the first parents of the Australian than to those of our American colonies. The original settlers of both had the advantage of carrying with them the language, the laws and institutions, the arts, and accumulated knowledge of the mother-country; but, at the same time, they also carried its worst vices. In most other respects, however, especially as regards geographical features, soil and natural productions, no two countries can be more dissimilar. In New South Wales we should look in vain for those noble rivers, those expansive lakes, and wide-spreading meadows, chequered with magnificent forests of the finest timber, which form the most remarkable features in the North American landscape. With regard to the relative aptness of the two regions for the residence and subsistence of man, this broad difference may be summed up in a few words; the former is most suited for agricultural, the latter for pastoral, purposes. On the supposition of these two distinctive characters being equally favourable to new settlers, the only advantage that we can discover New South Wales to possess, (and this, it must be allowed, is a great one,) lies in the dry and clear atmosphere, and its healthy climate: on the other hand, its great distance from the mother-country, and every part of the civilised world, operates as a most serious drawback even on this undoubted advantage over other and less remote parts of the world, which a changeable temperature, and a prevailing moist and foggy atmosphere, render subject to a variety of diseases.

In two countries, whose mixed population is composed pretty
B 2 nearly

nearly of the same kind of materials, we may reasonably expect to find a great similarity of manners and feelings, especially in the early periods of their growth. Thus we are told by Mr. Cunningham, that the community of the capital of Sydney, flourishing as it is, continues to be torn by faction and party-feuds, kept up and inflamed by incendiary paragraphs, propagated in democratic newspapers,—but it must be owned that the early settlers of the North American states were comparatively exempt from this pest. The two great conflicting classes in the Australian society are the voluntary emigrants, and their descendants, on the one side, and the emancipated convicts on the other; the former sometimes called illegitimates, (the *law* having nothing to do with their removal,) and the latter legitimates, (having *legal* reasons for their visit to the colony.) There is also a particular party among the emigrants known by the name of *exclusionists*, and another among the *emancipists* denominated *confusionists*. The nicest distinctions are made between these conflicting classes, who are, each of them, as tenacious of the assumed place they hold in society, as was the case in the early stages of some of our North American colonies, where the descendants of the mounted highwayman would have disdained to sit down at the same table with those of the footpad, who, on his part, would have treated with scorn the progeny of a common thief or pickpocket. This tenaciousness of maintaining their proper place in society is so inveterate, that even the *sanc-tissima divitiarum majestas* will not always prevail against it. It is as powerful in Sydney as in Jamaica, where the immaculate white man can never be reconciled to one, however wealthy, who has the faintest tinge of yellow in his cheek, or the mark of the beast upon him.* The *pure* emancipists, or those who have never been convicted of a crime in the colony, will not suffer an *impure*, or *re-convicted* emancipist, to associate with them. Mr. Cunningham has given a humorous example of this inveterate spirit of anti-amalgamation:—

‘At one of the public dinners of the emancipists *pure* some years back, a terrible fracas ensued from one of the proscribed inadvertently gaining admittance, who being assailed with a universal shout of “Turn him out, turn him out!” forthwith squatted himself at the end of the table, and commenced upon his soup, skilfully intrenching his position by rolling the corner of the tablecloth round his hand, with a

* The offspring of a black and white, mixing through five generations, always with a white, will lose all traces of the negro, except a circular ridge round the root of the nails, and in another part of the body, which need not be mentioned: these are the ‘marks of the beast.’ The West Indian white cannot bear with temper to see this illustrated by mixing a glass of port wine or claret with water, and equal quantities of that and successive mixtures with water, five several times, after which the mixture becomes to all appearance pure water.

view of pulling the whole of the smoking pageantry off the table in case of molestation.'—vol. ii. p. 139.

The origin of the sect of *exclusionists*, or that class of emigrants who strictly exclude from their society *all* emancipists, however fair a character they may have acquired, or however wealthy they may have become, appears to be attributed, in some degree, to the humane, but, perhaps, mistaken, views of the late Governor Macquarie, who, deeming the colony to have been founded as much with the view to *reformation* as *punishment*, conceived that offenders who had passed through the ordeal of purgatory, possessed a fair claim to the joys of paradise; and that the best mode of accomplishing this object would be to elevate the character of the emancipist, by raising him once more to a respectable station in society. He soon discovered, however, that the countenance of the governor was not enough to overwhelm opposition to his benevolent intention, and that *authority* was unable to enforce what a mere expression of his *wish* had failed to effect. These silly party-feuds continued through Sir Thomas Brisbane's government; but, if we understand Mr. Cunningham rightly, they are in a fair way of subsiding under that of General Darling. The testimony of our author in favour of the respectability of many of the emancipists is certainly very strongly given.

'Our emancipist body, in honest truth, forms the most useful and enterprising portion of our community;—all the distilleries, nearly all the breweries, and the greater portion of the mills and various manufactories, being owned by them; while they have never, so far as I can learn, disgraced themselves by engaging in any of the smuggling transactions, whereby many of those who came out under the proud title of free men have tarnished their reputation. Several of our most respectable merchants have told me that in the numerous matters of business wherein they have been concerned with the emancipists, their conduct has always proved most honourable, though some here will endeavour to detract from this praise, by saying that their principles have suffered no change, the terror of the law and self-interest keeping them honest.'—vol. ii. pp. 143, 144.

It matters little, in our opinion, as far as society is concerned, whether they be honest in *principle* or from *necessity*, supposing them to be really honest. Mr. Cunningham argues that a stranger is much less likely to be cheated in Sydney than in London, because in the latter a shopkeeper may cheat a stranger without his trade or reputation being much injured; whereas, in the former, every body knows the emancipist shopkeeper to have once been a rogue, and all are accordingly on their guard; on his part, he knows that even a *mistake* would be at once set down for a sample of the old leaven. It is this cautious conduct, with assiduity and talent for
business,

business, which has raised many of them to wealth and respectability, without the assistance of great capital.

‘ We have individuals in New South Wales, who, some fifteen years ago, were driving government dung-carts, and shuffling along with hods of mortar on their shoulders, now possessed of incomes larger by all account than I can mention, with a hope to be credited ; most of them individuals, too, who came out under the patronage of the Honourable Secretary for the Home Department, with a Recorder’s testimonial to character.

‘ In fact it is truly astonishing to see how rapidly many of these men prosper in business. They are generally men of talent, but of talent formerly misapplied ; and, either through their principles undergoing a change on arrival, or finding that more can be gained here by honesty than by roguery, quit the latter for the former, and directing their talents into this new channel, flourish in our money-making country like the trees we read of in the Psalms, “planted by the river.”’—vol. ii. pp. 96, 97.

Another distinction is made between persons born in the colony and in the mother-country ; the former being known by the name of *currency*, the latter by that of *sterling* ; a distinction given, as Mr. Cunningham tells us, by a facetious paymaster of the 73d regiment ; the pound *currency* being at that time *inferior* to the pound sterling. By our author’s account, however, the keeping up this distinction, in an invidious sense, does not appear to be very defensible ; ‘ our *currency* lads and lasses,’ says he, ‘ are a fine interesting race, and do honour to the country whence they originated : the name is a sufficient passport to esteem with all the well-informed and right-feeling portion of our population.’ They are said to grow up so rapidly in height, and to be so slender, that they are further, and more justly, distinguished by the name of *corn-stalks* ; and they are described as remarkable for that Gothic peculiarity of fair hair, blue eyes, and reddish sallow complexions ; but the young women, we are told, like the Americans, lose their teeth at an early period of life. They are, Mr. Cunningham says, in a great degree free from the vices of their parents ; drunkenness is almost unknown among them ; and their honesty is proverbial. He adds, that they are warmly attached to the country of their birth, and that when they have been sent to England, they hail the day of their return as the most delightful in their lives. They all talk of London as a dull, smoky place ; and no doubt the dingy gloom of this brick-covered province is something very unlike their own clear blue cloudless sky. ‘ A young girl,’ says Mr. Cunningham, ‘ being asked how she should like to go to England,’ replied with great *naïveté*, ‘ I should be afraid to go, from the number of thieves there ;’ forming her judgment,

ment, very shrewdly, on the number of this description annually imported from our country into her own.

But the *currency* lads are stated to be noted for superior spirit and courage, as well as superior morals. *Mills*, as Mr. Cunningham in slang jargon calls them, often take place between *lads* of the *fancy*; and, he says, that 'when it is *sterling* against *currency*, it is observed that *sterling* is generally at a *discount* before the winding up of the *set-to*.' So unfortunate has the facetious paymaster been in the discriminative nomenclature which he has handed down as characteristic of the two classes.

It appears, indeed, that the change, which takes place in the physical constitution of all kinds of animals on transplantation to New South Wales, is something quite astonishing. It was long since remarked that prostitutes, who had never borne children in Europe, became prolific mothers in the Australian colonies; and that married women, who had long left off child-bearing, recommenced even at the advanced period, in some cases, of fifty years of age, after a short residence in these regions; and the observation appears to be confirmed, that not only the human race, but most of the quadrupeds produced from animals imported, improve their breed, and increase considerably in size. Mr. Dawson, the intelligent manager of the 'Australian Agricultural Company,' thus writes in a private journal with which we have been favoured:—'Both the climate and soil appear by nature intended to produce fine wool, and fine animals too, even from the worst beginnings. The latter seems a paradox. The extensive range that can be afforded to every animal keeps it in good condition; and, perhaps, the native grasses may have more of good in them, than their appearance indicates: however this may be, the climate clearly has a wonderful effect upon the size of all animals, even upon man, who is almost universally tall here, although born of diminutive parents. From this I am led to believe that the climate governs chiefly, and that every breed of animals introduced here will attain a size not known in Europe. From what I know of the origin of the breed of horses introduced here, and the size of the stock that has almost promiscuously been produced from them, I have strong grounds for inferring that the produce of such horses as we have imported will be something extraordinary.'

We apprehend that the soil and its products can have little share in all this. The soil, indeed, as Mr. Dawson tells us, is in general poor, and inferior to that of any country he has ever seen. It is more probable, therefore, that the salubrity of the climate, and the absence of all disease, may be considered as the prime causes of these extraordinary effects. And if New South Wales

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is ever to become that great and powerful country, which, some centuries hence—(much sooner its sanguine inhabitants predict)—is destined to overawe and to conquer the eastern world, this grand result will certainly be less owing to the labour of the plough, than to the rearing of sheep and cattle, the prosecution of the fisheries, and the pursuits of commerce. We trust, however, that instead of indulging in dreams of conquest, the enlightened inhabitants of New South Wales will use their best efforts to civilise the wretched natives of the numerous fertile and beautiful islands of Australasia, now in the lowest stage of savage barbarity. Hitherto the progress of the colony has certainly been flourishing far beyond what the most sanguine projector or settler could have imagined, when, ‘thirty-eight years ago,’ a few huts and solitary tents were the only indications of the existence of human society.—We are not much edified by the *landmarks* which Mr. Cunningham has set up to note the stages of this progressive improvement; we will nevertheless cursorily run over what he calls a ‘brief medley of their first deeds and their first fruits, in chronological sequence.’

The *first* landing, he observes, was on the 26th of January, 1788; in 1789, the *first* harvest was reaped at Paramatta; in 1790, the *first* settler, James Reese, took possession of his land; twelve prisoners located in 1791, upon the Hawkesbury, supplied, in 1793, twelve hundred bushels of corn; in 1796, the *first* play was performed; in 1803, the *first* newspaper was printed; and in the same year the *first* suicide occurred—that of a man who hung himself in jail; in 1805, the *first* colonial vessel was built; in 1806, the *first* great Hawkesbury flood happened; in 1810, the *first* census of the population, stock, and cultivated land was made; the *first* toll-gates were built; caterpillars *first* made their appearance; the streets of Sidney received names; weekly markets were established, and the *first* public races instituted; in 1813, the *first* fair was held, at Paramatta; in 1817, the *first* bank was established; in 1818, the *first crim. con.* case was tried (a great advance this in civilization); in 1820, the *first* colonial tobacco was sold; in 1825, the *first* book was *reviewed* (this, we think, was beginning at the wrong end); in the same year the *first* breach of promise of marriage came before the criminal courts; and in 1826, the *first* public concert was held.

‘When,’ says our author, ‘we seriously contemplate the wonderful revolution wrought in the colony since its formation, we cannot but be proud of the energies displayed by our enterprising community. Here, where, thirty-eight years ago, not one civilized being disputed the dominion of the woods with their savage inhabitants, now forty thousand such exist, spread over an extent of country of two hundred square miles,
having

having justice administered by civil and criminal courts ;—six separate courts of quarter-sessions, and eleven separate benches of magistrates being instituted among them. Where, thirty-eight years ago, not a single European animal breathed, now upwards of 200,000 sheep, upwards of 100,000 head of cattle, and many thousand horses and other animals destined for the support and pleasure of man, are peacefully grazing. Where, thirty-eight years ago, not an ear of grain was cultivated, we now see fifty thousand bushels advertised for—for the mere annual consumption of *one* of our distilleries ;—while four steam-mills, ten water-mills, eighteen windmills, and two horse-mills, furnish us with an abundance of excellent flour from our own wheat ; two very extensive distilleries, with several hundred thousand gallons annually of a pure spirit from our barley and maize ; and thirteen breweries, with ale and beer from our various descriptions of colonial grain,—eight thousand hogsheads being the average yearly amount of this wholesome beverage supplied to the public.

‘On the site of Sydney alone what a change has been effected ! Where, thirty-eight years ago, not a human hut was to be counted, nor the slightest hum of commerce heard, we have now a city occupying a mile square, crowded with industrious citizens, and teeming with vehicles wheeling along the varied productions of the soil,—the market-dues for this traffic renting, the present year, at 840*l.*, and the toll-gate dues at 1000*l.* :—the town containing twenty-two agents for the management of shipping affairs ; eleven auctioneers for expeditiously disposing of colonial and foreign wares ; a chamber of commerce to push forward and watch over colonial enterprise, effect insurances, and arbitrate in matters relating to shipping ; two flourishing banks, dividing forty per cent. on their advances ; and three newspapers, (one weekly, and two printed twice a week,) in one of which I counted one day 124 advertisements.’—vol. ii. p. 73—75.

In our author’s opinion the commerce of the colony can only be considered as dating its existence six years ago. Since that time the trade with England has increased from *three* to *twenty-four* vessels, importing emigrants of property and cargoes valued at 200,000*l.*, while the exports in seventeen ships, consisting of wool, skins, oil, timber, pearl-shells, trenails and hides, exceed in value 100,000*l.* The foreign trade with India and China, six years ago, did not require above six or seven vessels ; last year they amounted to twenty-six, with import cargoes worth 200,000*l.*, a great part of which consisted of tea, sugar, wine, and tobacco—articles all of which, Mr. Cunningham supposes, may, in time, be produced in the colony itself. On the banks of the Hastings, which discharges its waters into Port Macquarie, ‘the sugar cane,’ he says, ‘thrives well, and a good quantity of fine sugar and fair samples of rum have been produced here of late, *ninety acres* of cane being this year (1826) in cultivation.’ But though wine,
sugar,

sugar, and tobacco will, we doubt not, be speedily reckoned among the valuable products of the colony, we are pretty sure that tea will never be included among its staple commodities. The labour that is required for the preparation of this plant can only be undertaken with advantage in countries like India and China, where population is abundant, and food cheap. Besides this, there is something in the nature of this plant that requires a peculiar climate, or soil, or mode of cultivation, or all of them. It has been tried in various countries and failed, and no treatment, that we have heard of, by our nurserymen, has yet succeeded in producing free and healthy plants either within doors or without.

Whatever products, however, the colony is or may be capable of yielding, it is agreed on all hands that, for some years to come, its progressive prosperity must depend mainly on the cultivation of the fine-woolled sheep, for the introduction of which it is indebted to a gentleman of the name of Mac Arthur. From three ewes and a ram, with which it appears he began the breed, his stock of pure merinos is now said to exceed two thousand; and from the produce of these he has of late years sold upwards of forty rams annually, at an average of 17*l.* per head. His property in the colony, by grants and purchases, is said to exceed thirty thousand acres, constituting a square of seven miles nearly each side, all lying contiguous, and consisting chiefly of undulating, thinly-wooded hills, covered with a sward of fine dry native pasture, with the addition of extensive plains stretching from each bank of the river, of the most fertile quality, producing excellent wheat, and maize of the most luxuriant growth. His breed of horses and horned cattle are of the first description. He has succeeded in introducing most of the European fruits; has a spacious vineyard, from which he annually makes an increasing quantity of wine, said to be not unlike the sauterne; cultivates the English grasses, which are found to thrive well; and this first of Australian squires keeps a pack of fox-hounds, with which he hunts the native dog and kangaroo.

On the banks of Hunter's river, and its branches, and on the fine neighbouring plains bordering on the Goulburn river, Mr. Cunningham enumerates about twenty gentlemen who, though comparatively speaking, they have but recently settled there, cannot, he thinks, reckon among them fewer than twenty thousand fine-woolled sheep. Bathurst plains, however, or, more properly speaking, *downs*, are, of all other parts of the colony yet discovered, the best adapted for sheep husbandry. These fine open downs, consisting of a succession of gently-swelling hills, clear of timber, and covered with luxuriant herbage, extend along the banks of the Macquarie River, on both sides, full a hundred and
twenty

twenty miles. The discovery of this transalpine region, and of the practicable passes across the Blue Mountains to it, was at the time hailed, and is still looked upon, as the most happy event for the benefit of the colonists, that could have befallen them, as, in fact, the cisalpine stripe of land had become too closely occupied to afford subsistence to the rapidly increasing live stock. 'The superabundant population,' says Mr. Cunningham, 'and the superabundant flocks and herds poured like a torrent over the dividing barrier-ridge, inundating the fine plains and downs beyond its western base. The quantity of sheep and cattle in this territory is now immense, the greater proportion of the wool exported from the colony being furnished therefrom.'

Nor is the dairy neglected; for we are told that a Mrs. Rankin, from Ayrshire, makes cheese at Bathurst little inferior to our Cheshire, and is amassing a large fortune by selling it at ninepence to a shilling a pound.

The town of Bathurst would appear, indeed, to be fast rivaling Sydney. It has already its 'Literary Society,' its 'Classical and Mercantile Academy,' and its 'hunt.' The members of this association, we are told, wear 'green jackets, turned up with velvet, gilt buttons, with "*Bathurst Hunt*" engraved upon them, and a native dog embroidered in gold upon the collar.' To such a pitch of luxury and prosperity is Bathurst grown, though six short years ago it did not possess a single respectable resident settler; the district now abounds in a wealthy population, in possession of all the comforts and luxuries of life, and of a healthy climate to enable it to enjoy them.

'No better proof,' says our author, 'can be given of the *healthfulness* of Bathurst, than the fact that the only death, owing to natural causes, from the period of its first settlement, took place in 1826, after a space of twelve years.'

Many other regions, not inferior to Bathurst plains, are yet, we cannot doubt, to be discovered in this extensive and salubrious country; and we perceive with pleasure that new settlements are forming on the southern coast, by which a short and speedy communication will be maintained with the sister colonies on Van Diemen's land. Port Western has recently been occupied, and though the land in the immediate vicinity of the bay may not be of the first quality, yet as it has been ascertained to improve in advancing to the interior, there is little doubt that, in a short space of time, the intervening country between this port and Sydney will be planted with inhabitants. Already Jarvis and Bateman's bays have been occupied by respectable emigrants; and King George's Sound, near the south-west corner, or Cape Leuwin, commanding the entrance of Bass's Strait, has also been settled. This we consider as

a most

a most important station ; the land about it is of good quality, and continues so the whole way to Swan river on the western coast, abounding with extensive plains of the finest grass, not inferior to Bathurst plains, with the additional advantage of hilly ranges, clothed with the finest timber for building, of the same species which occurs on the eastern coast, but of much finer growth. On this latter coast the settlers, in proceeding northerly, will speedily get within the tropic, and communicate with the new settlement on Melville Island on the northern coast, which we find is to be augmented by a corresponding settlement on some of the islands to the eastward of it. We are not aware whether these northern colonies are likely to answer the expectations of those (merchants trading to India, we believe) who strongly recommended them, with the view of drawing the Malays concerned in the extensive fishery of the *Trepang* on this coast, to exchange that article of consumption in China for British manufactures, instead of dealing, as at present, with the Dutch settlements. As the Malays are a cautious and suspicious people, it would be desirable, if possible, to induce some of them, with their families, and also of the Chinese, who mix with them freely at Singapore, to remove to the northern coast of New Holland, as the best means of securing the trade, and also of improving the new settlements on that coast.

The Australian agricultural company will, in no great length of time, give a new aspect to that part of the eastern coast on which they have received a grant of one million of acres, intersected by several fine streams falling into Port Stephens.

‘The fertile spot,’ says the Report, ‘on which Mr. Dawson landed, was estimated to contain about eight hundred acres, fit to grow corn of first, second, and third rate quality; surrounded by fine sheep-hills, with fresh water in abundance. In the immediate neighbourhood adjoining the shore, are beds of oyster-shells, convertible into the finest lime, both for building and agriculture, and in such inexhaustible quantity, that in one instance they are said to cover above an acre, to the depth of several feet. The whole district is bounded on the south by a harbour, into which ships of any tonnage may enter at all seasons, and anchor in safety; it abounds with numerous kinds of excellent fish, and communicates, through the medium of its rivers and creeks, with a country well qualified to form a large and important portion of the grant.

‘Port Stephens is situate in latitude $32^{\circ} 40'$, one degree north of Sydney, and appears to consist of an outer and an inner harbour, the outer entrance being a mile in width, with a depth of thirty-six feet at low water. After passing the two headlands, the harbour expands considerably; but at the distance of ten miles from the entrance, it is contracted, and divided by an island into two channels, each about four hundred yards wide, which lead into the inner harbour: the depth

of

of one of these channels is seventy-two feet, of the other ninety feet, and the minimum depth of the passage for ships through both harbours, is thirty-six feet, and extends nearly to the shore, on which the first settlement has been made.'

From the latest accounts which have been received of the proceedings of this company, it would appear that their concerns are going on as prosperously as could be desired. At no great distance from the settlement, and in addition to their original million acres, they have obtained from the government a grant of five hundred acres of the coal-fields of Newcastle, which, by means of steam-engines and proper colliers from England, already arrived there, they are about to work in a systematic manner, and from which they expect to be enabled to serve not only Sydney but the whole colony, with coals at a cheap rate. Sydney alone, it is calculated, will require an annual supply of 12,000 chaldrons, and the masters of vessels proceeding to India, Batavia, the Cape, &c. who cannot at present be supplied, from the inefficient state of the workings, will be glad to take coals, not only for their own use, but on the speculation of a market for such cargoes. The establishment of steam boats, we have little doubt, will next take place; and these will be of infinite importance in the navigation of the smooth water within the reefs, along the extensive eastern coast both to the northward and southward, at such times as the periodical winds are adverse to sailing vessels.

Mr. Dawson's account of this part of the country is very encouraging to the hopes of the settlers:—

'The country around Port Stephens is of a different character from the districts previously settled. It is chiefly hilly, and sometimes mountainous. There are few parts of England more beautiful to the eye. On the banks of the river Karner (natives' name) which empties itself into Port Stephen's harbour, it is not much unlike, nor much inferior in point of beauty, to the banks of the Wye. The hills in the distance, and on the banks, are less elevated than those of the Wye, but the scenery is equally varied and rich, as seen from some of the reaches of the river. The harbour, too, is a very fine and safe one, and abounds with every production of nature that can make its shores a desirable residence. Fish of all kinds known in the colony, oysters both rock and mud, in the greatest abundance, as well as lobsters and turtle, are found there. In my public letter I have stated my reasons for having determined to fix the establishment at this place, where every advantage we could have asked for appears to have been united for our first essay. The hills appear to be well adapted for sheep; enough of ground can always be found, on or near the navigable rivers and creeks running into the harbour, for cultivation, should we ultimately want more than the shores of the port can produce.'—(*Private Journal*.)

It

It appears that the importation of fine wool from New South Wales has already had the effect of lowering the prices of the usual supplies of fine wool for the English market—to such a degree indeed, that it is confidently stated the prices lately obtained will not afford a remunerating profit to the growers, under the expensive artificial treatment to which, in a climate like that of Germany, they are compelled to resort, in order to produce a staple of the requisite delicacy. It is stated in the last report of the directors of the ‘Australian Agricultural Company,’ that, with regard to *fine wool* intended for the markets of Great Britain, ‘it will be found that the average expenses of carriage from the farms in the interior of Germany, including freight from the ports of shipment and import duty here, are, in amount, equal to the costs of freight incurred by the longer voyage from New South Wales, and the other charges of conveyance from the occupied pastures of that country, situated generally within a moderate distance of the sea-coast.’ And if this statement be literally and exactly correct, the wool-growers of Germany must unquestionably find themselves, in the long run, utterly unable to compete with these thriving colonists.

As to the attempts which the Australians have been making in manufactures, we cannot expect much progress, for some time to come, in that department; a great deal more, however, than the North Americans accomplished in thrice the time, has already been achieved. Their manufactures, as yet, consist chiefly of articles of the first necessity, such as are in daily and universal use. Coarse and second cloths, from their own wool, are manufactured at Botany Bay, but at a dearer rate than similar articles imported from England; these cloths, however, are represented to be stronger, and perhaps, therefore, cheaper in the end, than those with which they have to compete. Coarse woollens are made by the women confined at Paramatta, who likewise weave twills made of New Zealand flax. Many of the settlers tan their own leather, make their own shoes, and manufacture soap for their own consumption. In Sydney they manufacture hats, beavered with the fur of the flying squirrel, which are said to look well and to wear well, except that they become soft, and lose their shape in moist weather. Here also are carried on for sale, soap-making, tin-ware, workings in brass and iron, saddlery, harness and whip making, boot, shoe, and straw-hat making; all kinds of common pottery-ware, large jars and tubs for salting meat in, wine and water coolers, and spruce-beer bottles, are manufactured in sufficient abundance for the wants of the whole colony, and sold cheap. Carts, drays, ploughs, harrows, and other instruments of husbandry, are made of good and strong materials

terials, and are sold at English prices ; and colonial coasting vessels and boats are built of gum-timber, which is stated to be as durable, and every way as fit for ship-building, as Indian teak.

The progressive improvement and civilisation of the colony may further be inferred from the state of society in Sydney, where, according to our author, private carriages are kept, and few individuals, if any, who pretend to what in the slang tongue is called *respectability*,* are without their gigs or riding-horses. Every town has its post-office, and a regular system of post-horses is established for the conveyance of letters. A four-horse stage-coach runs twice a-day, and a caravan once, between Sydney and Paramatta, and another coach thrice a-week to Liverpool, while a third proceeds from Paramatta to Windsor three times a-week also—no mean proofs of the general wealth and prosperity which this infant colony has attained. Nor while comfort and convenience are thus studied, is the improvement of the mind by any means neglected.

‘A great variety of respectable schools throughout the colony further the purposes of education ; the most celebrated being the Sydney Free Grammar School under the able management of Dr. Halloran ; the Caledonian Academy, founded upon the principles of the Scotch schools, under the management of the Rev. Mr. Lang, the Presbyterian clergyman ; Mr. Cope’s seminary ; and the Naval Seminary, for instruction in seafaring matters, under the superintendence of Captain Beveridge. Various ladies’ schools are to be found also, but few possessing much celebrity. Music-masters for the piano and harp take regular circuits to give lessons to the rising fair ; while Mons. Giraud, and other professors of attitudes and dancing, teach them to hold their heads up, turn out their toes, and trip it along in waltzes, quadrilles, and *contre-danses*.’
—vol. ii. pp. 124, 125.

Scholastic institutions are also endowed with a certain portion of land, and placed under the direction of the ministers of the gospel, at the head of whom is a highly-accomplished, as well as philanthropic gentleman, Mr. Archdeacon Scott. A dispensary is established to furnish medicine and advice gratis to the poor. There are several reading-rooms and libraries ; and the inhabitants are further enlightened by the ‘Sydney Gazette’ and the ‘Australian,’ published twice a-week, and the ‘Monitor,’ once a-week : the two latter, we are assured by Mr. Cunningham, ‘are conducted with an ability of which few papers out of London can boast ;’ he might have added, for we see them sometimes, ‘with a scurrility, too, which would not disgrace Billingsgate and St. Giles’s.’ The Australian, we understand, is conducted by a transplanted scion of

* The term was defined by one of the witnesses on the noted trial of John Thurtell. The question was (but we quote from memory,) ‘What sort of person was Mr. Weare ?’
Answer. Mr. Weare was respectable. *Counsel.* What do you mean by respectability ?
Witness. He kept a gig.

a London parent, whose dull and dolorous columns are mostly employed in slandering our best and most venerable institutions. The average number of advertisements in these three are said to amount from seventy to eighty, and their average circulation to about 650, or a total of 3250 impressions weekly. The Colonial Almanac is said to contain much valuable information on farming and gardening, the periods of planting, sowing, and reaping, the several productions of the soil, and many other useful matters. The colonial press is teeming with various works;—a practical treatise on the vine, another on sheep-husbandry, a journal of travels in the interior, and two volumes of poems,—‘one of them by our venerable laureate, Mr. Michael Robinson’—bear the stamp of colonial authorship.

Sydney boasts also of her turf-club, with its secretary, treasurer, and a select number of members, who can only be admitted by ballot. The races are held twice a-year, once at Sydney and once at Paramatta; and not less than eight horses frequently start for the governor’s plate, and also for the Australian ladies’ plate: in short, our author tells us, that ‘this excellent old English sport is nowhere more highly enjoyed than in Australia.’ Races, of course, beget balls and suppers, and these require suitable houses to give them in. Thus, we are told, the ‘Australian’ and ‘Sydney’ hotels in George-street, and ‘Hill’s tavern’ close to Hyde Park, may vie with those of any English town of the same size. The more respectable part of society adopt the London fashions in dress, the moment they are imported. An active individual, by keeping ‘a fashionable repository for ladies’ dresses,’ is said to have lately returned to England with a fortune of not less than 12,000*l.*, all acquired in about six short years. Nor does it appear that neatness of dress and personal cleanliness are confined to the higher classes; they are said, on the contrary, to form a very marked feature among a great proportion of the inhabitants, even among those who move in rather an humble sphere,—an indication so far in their favour, since it leads to the presumption that they are alive to a due sense of decorum and moral feeling. As Mr. Cunningham has it, ‘those who delight in a good exterior are seldom either sottish or depraved.’

The rapid progress thus made in the arts, the luxuries, the comforts, and, we may add, the follies of civilised life, in the short space of ‘thirty-eight years,’ and at the distance of twelve thousand miles from the country out of which the whole concern emanated, has certainly no parallel. The progressive colonization of the United States, near as they are situated to the mother-country, will bear no comparison with this. A whole century had passed away before their most flourishing colony came any thing
near

near what Australia can already point to.* And when we look back to the early part of the very short period above mentioned, and find the difficulties and the distress which the first settlers had to undergo,—difficulties of a nature most appalling and terrific—we are only surprised that the whole plan of colonizing, under such discouraging circumstances, was not at once abandoned and given up in despair. From Governor Phillips's narrative, and in that singularly curious and painfully interesting journal of Colonel Collins, which may be considered as a sort of Botany Bay Calendar, a striking contrast may be placed in juxtaposition with the pleasing picture we have just sketched from Mr. Cunningham's little volumes. In the year 1788 Captain Phillips sailed from England with about 1000 persons, of whom 564 were male and 122 female convicts, and the remainder civil and military officers, soldiers, and a few women and children. Botany Bay was their destination; but, luxuriant as it might be in rare and beautiful plants, whence its name, it was found wholly unfit for the purposes of this infant settlement. Luckily, at a short distance to the northward, the captain discovered Port Jackson, till then unknown, to which place he removed his living cargo, and landed them at a spot to which he gave the name of Sydney Cove. The first operation was to build a hospital for the sick, which were numerous. But the convicts who were to assist in the building became refractory, some secreted themselves in the woods, some ran away to the ships of La Peyrouse, then in the harbour; others, again, threw away their tools; many of them committed robberies among their companions, and more on the public stores. The sailors brought spirits on shore, and scenes of intoxication and riot were the consequence. The scurvy and dysentery soon raged among them, so that by disease and death the refractory few who could work were reduced to about two hundred and fifty. To add to their misfortunes, the few cattle they had strayed into the woods, and were never recovered.

* In 1585 the first colony was carried to Virginia by Sir R. Granville, the few survivors of whom returned with Sir F. Drake to England. In 1587 another colony went, which, after great suffering, received support from England by Sir Walter Raleigh. In 1602 several ships and men were sent to Virginia, but they could scarcely be said to have made a permanent establishment till 1606, when James' Town was founded. In 1609 Lord Delaware was sent as governor, with nine ships and upwards of five hundred persons as settlers. A few years after this a reinforcement was sent over with Sir Thomas Gates. In 1616, that is, thirty years after the first attempt at colonization, it is stated by Purchas, in proof of the flourishing condition of the colony, that 'there were of bulls, cows, heifers, calves, a hundred and forty four, horses three, and as many mares, goats and kids two hundred and sixteen. Hogges wilde and tame not to bee numbered, and great plenty of poultry'—a miserable picture truly! But before this period some hundreds of the adventurers had perished by disease, famine, and the attacks of the Indians.

Their provisions became so nearly exhausted, that famine stared them in the face; the Guardian frigate, to which they were anxiously looking for supplies, was wrecked on an island of ice; and the next ship that followed, instead of a cargo of provisions, brought out about 220 female convicts, many of them old, infirm, and diseased. Four other transports arrived in succession, with convicts on board: in one of them, out of 218 males, 200 were on the sick list; in the other three the deaths in the passage amounted to 261 men, 11 women, and 2 children. Another transport brought among them the gaol fever, of which, out of 300 embarked, 95 had died on the passage. But all this misery and wretchedness is easily accounted for. The convicts were shipped off and victualled *by contract*, not at so much per head for the number landed in the colony, but for that received on board, so that the more the deaths, the greater the profit to the contractors. What a disgrace to those who had the management of the business, and what compunctions ought they to feel, (if still in existence,) when they read that Mr. Cunningham has carried out six hundred convicts, male and female, without losing a single individual!

The conduct of the convicts called frequently for the punishment of death. Robberies were constantly committed. They burnt down the prison at a time when twenty criminals were in it loaded with irons, some of whom perished in the flames. They were compelled to rebuild it; and then set it on fire a second time: they burnt down the church, and even set fire to the grain which was destined to feed them. Numbers perished in the woods, chiefly Irish, who took it into their heads, that by proceeding northerly, they would speedily reach China. This infatuation, we are rather surprised to find from Mr. Cunningham, still exists, and he gives a ludicrous story of an Irishman who set out on this expedition, and after three weeks hard toiling, was cheered with the distant crowing of a cock. A garden, with a snug cottage, gave a new fillip to his joy, and the more so because of its close resemblance to those he had left in New South Wales; but on seeing an European, in whom he discovered the features of Colonel Johnstone, he was in ecstasy, and hallooed out, 'Arrah! long life to you, colonel! And what has brought your honour to China all the way?' The fact was, that the Irishman, in keeping straight forward, had made some unfortunate 'right about face,' and thus travelled back to within a few miles of the spot from which he had started. Many are still persuaded that the Blue Mountains are those of Connaught, and when they take a freak of making their way to Ireland, Mr. Cunningham tells us they always go southerly, because Green Erin being colder than New South Wales, and the cold

cold winds blowing from the south, the land of their fathers must needs lie in that direction. The folly and absurdity of these people are scarcely to be credited. A party having determined to set out for Ireland, one of them, more knowing than the rest, proffered himself as their guide, having torn out the print of a compass from a book of navigation, by which he proposed to steer them a direct course to their own country; but it was soon discovered, to Pat's mortification, and the discomfiture of the party, that, somehow or other, the paper compass had lost its magnetic properties in this part of the world.

In the early stages of the Australian colonies, and with such materials as they were composed of, it can hardly be a subject of wonder, that a considerable number of years must have elapsed ere the convicts were brought under such subjection, and as well managed as they are at present. Unmerited blame, in our opinion, has attached to former governors for the readiness with which they granted letters of emancipation and tickets of leave, to enable convicts to hire themselves out to individuals; and though we are ready to admit that these indulgencies, when granted too promiscuously, were liable to abuse, we are quite satisfied that the encouragement thus given contributed mainly to the rapid progress of the colony towards that state of prosperity which it has now attained. If the convict occasionally abused the indulgence, and reverted to his former criminal habits, (as was the case,) the members of the colonial government might plead in excuse the utter ignorance in which they were kept of the nature of the crimes for which the transported felons had respectively been tried and convicted; a piece of information which might have enabled them to form some notion of the character and degree of guilt of the several delinquents. In vain the constituted authorities complained that no list of convicts, not even of their names, was ever sent out along with the cargo, much less a specific catalogue of their several crimes. The complaint, it would seem from Mr. Cunningham, still exists, though it must be obvious how valuable such a list would be to the colonial authorities in making the disposition of fresh cargoes as they arrive.

Mr. Cunningham gives an amusing account of these convicts; while under his charge on board ship, and of their characters as they are developed in the course of the outward voyage. The greatest and most daring rogues, it seems, maintain their pre-eminence, and are always selected by the rest as *captains of the deck*; while the next in the scale of villany are made *petty officers*. The same thing takes place in the female convict ships, where some old experienced bawd generally takes charge of the

morals and good conduct of the young ones. There are always, among a cargo of either sex, a few who pretend to have reformed their lives, and are constantly to be seen with the bible in their hands; but Mr. Cunningham soon discovered that these were invariably the greatest hypocrites and the least worthy of trust—in short, the very worst of the set. Among numerous instances of this bare-faced hypocrisy, he mentions that of one Breadman, who, on arriving at Sydney, was in the last stage of consumption, and unable to sit up without fainting. This expiring wretch, who grasped his bible to the last, mustered strength enough, while the hospital-man was drawing on his trowsers, to stretch out his pale trembling hand towards the other's waistcoat pocket, and actually to pick it of a comb and penknife:—next morning he was a corpse. 'Yet,' says Mr. Cunningham, 'during his whole illness, this man would regularly request some of the *sober-minded rogues* to read the scriptures to him, and pray by his *bed-side*!' There was another who assumed the character of a saint, one Jones, a Welshman, who, while in the hospital, was so fond of scripture-reading, that

'I never passed his berth,' says Mr. Cunningham, 'without observing him earnestly toiling away, with a pair of huge spectacles arched over his nose, or else the bible lying close to his hip, ready to be snatched up on the instant. Indeed, so earnest was he in his religious exercises, that he could not even attend muster without the bible in his hand, and his forefinger stuck between the leaves to mark the passage he had been reading.'

This fellow robbed the surgeon's assistant who attended him of a sum of money. Shade of Le Sage! who shall deny that father Hilary and brother Ambrose de Lamela are but too true portraits of poor frail human nature!

It was just the same thing among the first settlers. 'They stripped each other of their blankets, and the dying men watched with eagerness the moment of snatching away the covering of his neighbour, even before the breath was out of his body.'

The women are described as infinitely more difficult to manage than the men; but those composing the cargo which our author once superintended, were pretty well kept under by 'an old sybil of seventy,' a 'most trust-worthy creature,' who had been, during forty years of her life, in all the houses of correction, prisons, and penitentiaries of the metropolis. Some of Mrs. Fry's reformed damsels from Newgate, very soon after getting on board, set about *papering their hair* with the religious tracts that this good lady had supplied them with for their edification.

Bad and unpromising as materials like these are, to be thrown into

into the mass of society, it is admitted by most writers that the present prosperity and the population of the Australian colonies are mainly owing to the industry and ingenuity which such convicts transmit to their progeny. And yet, if we may credit the following statement, extracted from the 'State of Agriculture and Grazing in New South Wales,' by Mr. Atkinson,* an old established settler, we should be obliged to come to a very different conclusion, or, at any rate, very considerably qualify the laudatory reports which have been so largely bestowed on the emancipists and others who became early settlers:—

'The first settlers in the colony were obtained from among the military and convicts; very few of these men had any knowledge of agriculture, being mostly derived from inhabitants of great towns, or from the very lowest orders of the people: thoughtless and negligent, as might naturally be expected from their early habits and subsequent life, with very little regard for the comforts and conveniences of civilised society, their whole desires were confined to the obtaining sufficient food: clothing, except what decency absolutely required, they had little regard for; and to bring up their families with respectability, and make a comfortable appearance in the world, never once entered their minds. Their absolute wants being satisfied, the whole surplus produce of their labour was expended in intoxication and debauchery. Men of this description were but little calculated to improve and beautify the face of the country, and develope its agricultural capabilities; accordingly, their farms exhibit to this day nothing but a scene of confusion, filth, and poverty. Their first necessarily rude habitations of bark, are still unreplaced with more comfortable dwellings of brick or timber; and their families have been suffered to grow up without education, useful knowledge, or religious principles. I beg here to be understood as only alluding to the early settlers, and the lower orders of the present—what are technically termed in the colony Dungaree Settlers, from a coarse cotton manufacture of India, which forms their usual clothing: a more improvident, worthless race of people, cannot well be imagined. It unfortunately happens that the greater part of these people have been located on the banks of the Hawkesbury and Nepean, and in the district of Airds, the best lands in the colony.'—*Atkinson's Agriculture and Grazing in New South Wales*, pp. 28, 29.

Mr. Atkinson, however, confines his statement to the old settlers, soldiers, and convicts, who in the early periods of the colony had no good example to follow. For some years past the case has been different, a more intelligent and respectable population having spread itself over the colony. The

* 8vo. London, 1827—a useful little work.

amount of this population is rather over-stated by Mr. Cunningham, in making it amount in round numbers to forty thousand. By a census taken towards the end of the year 1825, it stood as under:—

FREE ADULTS.					
Males, came out free	-	1955	Females, came out free	-	1193
— born in the colony	-	1823	— born in the colony	-	1857
— free by servitude	-	4218	— free by servitude	-	1800
— absolute pardon	-	133	— absolute pardon	-	14
— conditional pardon	-	1000	— conditional pardon	-	56
FREE			CHILDREN.		
Males, born in the colony	-	2293	Females, born in the colony	-	2206
— came free	-	115	— came free	-	110
Free Males	-	11,543	Free Females	-	7236
CON-			VICTS.		
Males, with tickets of leave	-	1949	Females, with tickets of leave	-	129
— in servitude	-	13,156	— in servitude	-	999
— class unknown	-	994	— class unknown	-	214
Total Males	-	27,641	Total Females	-	8578
General Total	-	-	-	-	36,219
Military, with Women and Children	-	-	-	-	2,000
Grand Total	-	-	-	-	38,219

From this return, it would appear that the number of adult emigrants amounts only to 6828; whereas that of convicts, emancipated and in servitude, is 23,450, being in the proportion of about three and a half to one;—that the emancipists alone are equal in numbers to the adult emigrants;—that about one-half of the population are convicts in a state of servitude, the other half consisting of free settlers and emancipists. We think, therefore, that Wentworth and Cunningham are fully borne out in ascribing mainly to the labours of the convicts the prosperous condition of the colony.—It is distinctly stated by the former writer, that the value of the property now possessed by emancipists is fully double that of the free settlers.

It will be observed, from the above return, that the disproportion of the male to the female population is enormous, being fifteen to one nearly among the convicts, and in the total population three to one. This is unquestionably a great evil, and seriously felt as such; but it is one, we fear, difficult, if not impossible, to remedy. It might, perhaps, be diminished to a certain extent, by abolishing penitentiaries and asylums for the reformation of female delinquents at home, the success of which is, at best, very equivocal.

When

When the settlers of Virginia were much in the same situation with those on New South Wales, one hundred and fifty young women were procured, it is not stated how, and shipped off to that settlement, where, as the annals of Virginia relate, they were sold to the settlers for wives, at one hundred and fifty pounds weight of tobacco each; and in the same year, 1620, a Dutch trader carried thither the first cargo of negro slaves, among whom was a good proportion of females. Now, if an old procuress of Bristol, as the papers tell us, can purchase from a sister in iniquity living in the metropolis, a bevy of Cyprians for the use of that flourishing city, (for flourishing it must needs be to require such a supply,) we do not materially differ from our author in thinking, that a cargo of such unfortunate females might prove a good speculation both to the adventurer and themselves, in the market of New South Wales—a better school for reform, we venture to say, than any penitentiary at home, and much more likely to improve, not only their morals, but also their condition in life.

On glancing over the above census of the population of this colony, it appears quite ridiculous to hear the democratic news-writers of Sydney holding out notions of declaring their independence, shaking off the yoke of the mother-country, and demanding a colonial legislative assembly. The blockheads do not or will not see, that if England should withdraw her troops and withhold her supplies, neither ‘sterling,’ nor ‘currency,’ nor their united forces, if a sense of danger would allow such an union of discordant materials, could be able to withstand the insurrection of the convicts, who would be but too ready to avail themselves of an opportunity which offered them the summary attainment both of liberty and of wealth; and, as to a house of representatives, we cordially subscribe to the following observations of Mr. Cunningham:—

‘When it is recollected what bitter dissensions have existed for many years between the emigrants and emancipists, and that the latter would compose at least four-fifths of the electors, it is evident that such a measure would not only tend to revive that discord which his present Excellency is fast allaying, but put the whole emigrant body in the power of the emancipist faction. Yet these two objects, namely, a house of assembly and genuine trial by jury, are gravely declared to be the best means that can be devised for promoting the harmony of the colony; but as lawyers are the singers of the *Io pæans* about this said harmony, we are naturally induced to wonder what has so suddenly brought about this before unheard-of reform in the principles of that body, of whom discord forms the very food.’—*vol. ii. pp. 137, 136.*

We

We are quite aware, that the policy of sending convicted criminals to so great a distance, at an enormous expense, has frequently been questioned. We have heard it argued, that instead of being places of punishment for those who have been convicted of crimes, the Australian colonies, by affording an asylum for felons, operate, in fact, as an incitement to crime,—in other words, that many crimes are committed here, that the offenders may have a free and pleasant conveyance to this paradise of pickpockets, which is gained by a very short and easy passage through the purgatory that conducts to it. This may be true in some instances.

‘Some who had friends doing well in New South Wales would in olden times procure themselves to be transported by way of having a free passage, in order to join them. Several went out with me on these very terms; and among them, one merry youth of two-and-twenty, whose father had been transported while he was a child in arms, and a brother at a later period. This brother had followed the fortunes of the father by special invitation, to assist him in the cultivation of his farm, and the youngster I speak of was therefore the second son induced to entitle himself to a seven years’ trip to Botany. On our arrival the elder brother came alongside, and introduced the younger brother and the father (who were of course utter strangers) to each other! “When may we expect, Jem?” was the question put shortly after the preliminary congratulations: Jem being a cousin who had long promised the colony a speedy visit, as I learnt from the younger brother.’—vol. ii. pp. 268, 269.

We understand, however, that these halcyon days are nearly at an end; and that since the government has fallen into the hands of General Darling, the convicts, unless in some peculiar and special cases, are required to work out the time of their sentence before they can receive the boon of emancipation. Still, however, their condition is by no means a hard one; the labour required of them is not severe, and they are well clothed and fed. ‘I question much,’ says Mr. Cunningham, ‘whether many *English* labourers live better than our convict-servants here, whose weekly ration consists of a sufficiency of flour to make four quartern-loaves at least; of seven pounds of beef; two ounces of tea, one pound of sugar, and two ounces of tobacco, with the occasional substitution of two or three quarts of milk, daily, for the tea and sugar allowance.’ The farmers, besides, allow them little gardens for vegetables, and each has two suits of clothes annually, a bed-tick, and a blanket. Formerly, a great proportion were fed from the government stores, and employed in various kinds of labour on public works and roads, in clearing the country of wood for settlers, &c.; but we are glad to find that the extraordinary demand of the settlers for their services has induced the present governor to break up the government

government clearing-gangs, and to distribute them among the colonists. The Australian Agricultural Company alone have taken one hundred and twenty, which were all that could be supplied, and they will gladly receive more into their employ whenever they can get them.

Such being the demand for the labour of these people, it is to be hoped that the public will, hereafter, be relieved from any further expense on account of the convicts, except that of sending them out, which appears to be on an average about 30*l.* per head. Whatever arguments may be advanced, as to the dubious policy of transporting felons, one thing is at least certain,—that in so far as their own condition is concerned, it is incomparably better, morally and physically, than the lot of those offenders who are condemned to work out their time in the hulks. The former, when the term of their servitude is over, if their conduct has been good, mix at once in the mass of the people, and rise, according to their own subsequent efforts and merits, in the scale of society; but where shall the latter find a place to subsist in, with a blasted character, among a superabundant population, a great part of whose honest labourers cannot find employment? ‘Every rogue,’ says Mr. Cunningham, ‘whom you retain at home to labour, takes the bread out of the mouth of an honest man; as long, therefore, as England cannot keep her *honest* poor, so long will it be her interest to turn all her *roguish* poor out from her bosom, to thieve or work elsewhere.’ In the present state of the country, the soundness of this doctrine will not, we think, be denied. The main question seems to be this: whether it is better to get rid of a convicted felon, for life, at the expense of 30*l.*, or, after extorting from him a forced labour of a few years, at the cost of half that sum every year, to turn him loose again on society, to find his way, in all probability, either to the gallows or to the workhouse? It is a question well deserving the serious consideration of the government. There are, at this moment, upwards of four thousand convicts on board the hulks, employed in the dock-yards and on other public works, at an annual expense of at least 60,000*l.*, the whole of whom, we believe, must be turned loose on society within the short period of seven years. Besides, if, according to our author’s doctrine, these four thousand ‘rogues’ take the bread out of the mouths of four thousand ‘honest poor,’ another 60,000*l.* must be required for the support of the latter from parish funds. To send them out to New South Wales, where, like their predecessors, they would, many of them at least, become good citizens, might cost the public about twice that sum, but there all further expense would cease.

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The two colonies of New South Wales and Van Dieman's Land would, it appears certain, at once absorb this number of fresh convicts. If the two great agricultural companies, and the ordinary settlers, could not receive the whole, the remainder might usefully be employed in clearing and preparing the ground at the new settlements of King George's Sound, Port Western, and Moreton Bay. Encouragement to good conduct might be given by assigning grants of land, in these new and distant settlements, to such of the convicts as might be deemed deserving of superior indulgence. A practice prevails in the colony which enables a poor man to stock his little farm at a cheap rate; let him only be able to purchase a cow or two, and a few ewes, he has the advantage of putting them out to graze with some extensive landholder, who requires only one-third of their produce for the care and food bestowed on them. Such a regulation is particularly advantageous to the convicts, few of whom, we learn from Mr. Cunningham, are sent out without money or money's worth—the unholy products of their illegal practices; and even those who have nothing to look to but what they earn from their labour, or the saving of their rations, may soon be in a situation to purchase a few sheep and horned cattle, which, at the expiration of their term of servitude, will be found sufficiently increased to stock the little farm allotted to them.

In point of fact, the emancipated convicts have, in many respects, the advantage of the poorer class of emigrants. Many of them actually do save a little money by labouring for the settlers at task and job work; they are acquainted with the people and their way of life; inured to the climate and the soil; know where to select the most productive spots; while the new settler, after spending a great part of his little property in implements, furniture, and passage money, has to consult persons in Sydney, generally not of the first character, who have no scruple, it would seem, about taking advantage of the ignorance or the simplicity of the new comer, so that a great part of his money is gone before he gets possession of the grant of land on which he is to be located. Mr. Cunningham recommends the co-operation of three or more individuals: thus six individuals, for instance, with 100*l.* each in their pockets on arrival, willing and able to work, would soon form a comfortable asylum for themselves; while the same persons, each acting separately with his own hundred pounds, would make but a bad hand of it. By the regulations of granting land, the joint-stock capital of 500*l.* would procure a square mile, or 640 acres. Mr. Cunningham gives an amusing account of what a new settler is likely to encounter in his search for a suitable

able place of location, which, as it affords a favourable specimen of the writer's style and manner, we hesitate not to extract, for the amusement of our readers:—

‘A horse, with canvas bags for changes of clothes, &c. slung over behind the saddle, with a blanket under to wrap yourself up in at night, and a light cord round the horse's neck to tether him by, furnish your personal equipment while upon this quest; and if pushing into a country at a distance from settlers, a pack-horse with provisions ought to accompany you. A steady white man who is a good bush-ranger, and a black native, complete your train. The note of the bell-bird, tinkling like a dull sheep-bell, announces in our drouthy wilds the welcome presence of water (a very useful thing to know); and toward this sound you may confidently proceed.

‘The settlers are generally hospitably disposed, and in these jaunts you are always welcome to such fare and such accommodation as they have it in their power, to give. A tinder-box, or powder-flask, conjures up a fire when you bivouac in the forest; while a few slips of bark, peeled from a tree, shelter you from the cold and wet;—and with a good fire at your feet, and a tin of hot tea before retiring to rest, you may sleep comfortably enough. Your muskets will furnish you with birds of various kinds;—and with a brace of good grayhounds you will never lack kangaroos and emus; so that your bush-fare is a true sportman's feast. You meet with some adventures probably both to astonish and alarm you, but these mostly end in your amusement. If you should hear a coach-whip crack behind, you may instinctively start aside to let the mail pass; but quickly find it is only our native coachman with his spread-out fan-tail and perked-up crest, whistling and cracking out his whiplike notes as he hops sprucely from branch to branch. Neither must you be astonished on hearing the razor-grinder ply his vocation in the very depths of our solitudes; for here he is a flying instead of a walking animal, and consequently can very readily shift his station. On seating yourself comfortably by the fire of one of our backwoodsmen, your attention may probably be arrested by a heavy foot-tread approaching the door, followed by the heavier souse of a load tossed down at the entrance; and pricking up your ear at the observation of “Good Lord! what a whapper! where did you meet with that old fellow?” you hear a gruff grumbling voice reply, “Why I had a tightish job on't wi' the ould boy; he took a good many thumps on the head before I could do for'un.” Confounded at the meaning of this conversation, you bend your eyes with anxious gaze towards the door, which slowly opening, a desperate-looking ruffian, habited in a huge hairy cap and shaggy kangaroo-skin jacket, dappled thickly with blood, stalks solemnly across the floor, casting a grunting sort of recognition to each person around, and while teasing out the tobacco-leaf to charge his pipe, relates with the most cool, villanous indifference that he has been fortunate enough to kill an old man as he came along, whose hind quarters he had just brought with him to make steaks of for supper! ending his horrible recital with a significant glance at you,

while

while drawling out through his husky throat, "It will be a treat to the gemman, as he is a new comer!" You begin to fancy you have got into a den of cannibals, and that you are doomed to join in their horrible repast, or perhaps be broiled yourself in event of refusal! To your great relief, however, the "old man" turns out to possess the appendage of a tail, and is in fact no other than one of our old acquaintances, the kangaroos!—vol. ii. p. 157-160.

The kangaroo is one of the principal objects of the several 'hunts,' and if there be a pond or river, he never fails betaking himself to it, as the only place in which he can successfully give battle to the dogs.

'From the great length of their hind legs and tail, they are enabled to stand on the firm bottom, while the dogs are obliged to swim, and in this way a fight between a large kangaroo and a pack of dogs affords a most amusing spectacle. The kangaroo stands gravely upright, with his fore-paws spread out before him, wheeling round and round, to ward off his assailants, and whenever one arrives within reach, he pounces his paws upon him, and sousing him suddenly under, holds him fast in this position, gazing all the while around with the most solemn simpleton sort of aspect, heedless of the kicking and sprawling of his victim, whom he quickly puts an end to, if some courageous colleague does not in good time advance to aid, and force the kangaroo to let his half-drowned antagonist bob above water again, who paddles forthwith toward shore, shaking his ears and looking most piteously, with no inclination to venture in a second time, notwithstanding all the halloos and cheerings with which you urge him.'—vol. i. pp. 314, 315.

Of this singular quadruped, peculiar, as most other living beings are, man not excepted, nor the vegetable creation neither, to New Holland and Van Dieman's Land, Mr. Cunningham mentions seven different known species or varieties; the forest kangaroo, the red kangaroo, the wallaroo, all of the largest kind: then, as next in point of size, there is the wallabee and the paddymalla; the two smallest being the kangaroo-rat and the rock kangaroo. These singular creatures have now disappeared from the neighbourhood of Sydney, but they abound in all the interior parts of the country. At Sir John Jameson's, on the Hawkesbury, is a tame one, of which our author gives the following amusing account:—

'One of the largest tame kangaroos I have seen in the country is domiciliated here, and a mischievous wag he is, creeping and snuffing cautiously towards a stranger, with such an innocently expressive countenance, that roguery could never be surmised to exist under it,—when, having obtained, as he thinks, a sufficient introduction, he claps his forepaws on your shoulders (as if to caress you), and raising himself suddenly upon his tail, administers such a well-put
push

push with his hind legs, that it is two to one but he drives you heels over head! This is all done in what he considers facetious play, with a view of giving you a hint to examine your pockets, and see what bon bons you have got for him, as he munches cakes and comfits with epicurean gout; and if the door is ajar, he will gravely take his station behind your chair at meal-time, like a lackey, giving you an admonitory kick every now and then, if you fail to help him as well as yourself.'—vol. i. p. 104.

A word or two on the original natives of New South Wales, and we have done. That these poor creatures are among the lowest, if not the very lowest, in the scale of human beings, the simple facts of their having no fixed habitation, no domestic animal of any description for food, and of their never having planted a tree or put a seed into the ground, are quite decisive. The Hottentot and the Kaffer have cattle in abundance, build for themselves comfortable huts, and scatter a few seeds of gourds and millet in the ground. The New Zealander does the same. The Eskimaux have their huts, and storehouses, in which they lay up provisions for the long, dark, and dreary winter months. The negro supports himself by agriculture; but the Australian native makes no provision for a future day: he trusts to his spear for the support of himself and his family, whether it be to procure fish or kangaroos, and when these fail he has recourse to oysters, limpets, and other shell-fish on the coast, or the bitter roots of fern and other vegetables. Such precariousness of subsistence will sufficiently account for the scanty population on the sea-coasts of this great country, and, as far as discoveries have yet gone, it is still more scanty in the interior. Yet, degraded as they are, it is agreed on all hands that these aborigines are a shrewd, intelligent race of men, capable of being instructed in mental acquirements, and in arts that require manual dexterity. It would appear, therefore, but a bad compliment to the colonists,—for we see no indication of an intractable or invincible brutality on the part of these savages,—that they are found, in the 'thirty-eighth year,' prowling about the streets of Sydney, stark naked, or lying drunk in corners, or stopping strangers as they pass along, teasing, and begging from them money, spirits, or tobacco, and, if refused, insulting and abusing them in language more gross than the grossest Billingsgate. No doubt it happens here as everywhere else, that the poor savage, whose happiness consists in *excitement*, becomes an easy prey to the debasing and destructive effects of spirituous liquors and tobacco, the excessive indulgence in which leads, in the end, to the extirpation of his race; and while this state of things continues, we apprehend

hend little improvement is to be looked for in the existing generation. We have heard nothing recently of the result of the experiment made by Governor Macquarie, of educating the children of these people, but we believe it has failed ; and the prevailing opinion among the settlers is, that they are a race of men utterly incapable of being civilized. Not so, however, thinks Mr. Dawson, the intelligent agent of the Australian Agricultural Company :—‘ I have heard them,’ says he, ‘ called the most degraded of all God’s creation, and that their nature will not admit of civilization ; and this is, unfortunately, the language of nine out of ten people in the colony. They are, in fact, in the first stage of society, and are, in my opinion, just as susceptible of advancement by degrees as savages in the same state in other countries. I should be sorry to think that God created a race of human beings unsusceptible, in their very nature, of light or improvement. Having stamped upon them the image of his own likeness, for what end did he design them, if they are perpetually condemned to the level of brutes ?’

Under this favourable impression, Mr. Dawson had assembled about a hundred of the natives at Port Stephens ; and at their hands, from the moment of his landing, he received the most valuable assistance : they collected bark and built huts for the whole establishment ; they carried the luggage from the boats to these huts ; ‘ in a few minutes,’ says Mr. Dawson, ‘ they were seen carrying boxes, bags, and other things on their heads, under the directions of different families, to their respective huts !’ He describes them as generally cheerful and good-humoured, though keenly sensible of injuries ; strictly faithful in the performance of duties which they have undertaken, and remarkably honest, which was shewn by the punctual return of anything lent to them or entrusted to their care. But then, it must be stated, he cautiously kept them from the knowledge of spirituous liquors. Whether he will be able to preserve them in this happy state of ignorance, when many hundred families, and as many convicts, are added to the establishment, may very much be doubted—indeed, we should say it will be impossible ; and then, in spite of every exertion and kind intention on their behalf, it is to be dreaded that the result will not be unlike what Mr. Cunningham speaks of in his descriptions of the town of Sydney.

Upwards of one hundred pages of the first volume of Mr. Cunningham’s book are occupied in geographical and topographical details, with notices respecting the soils and productions ; but in these details we find nothing that is new ; and, in fact, much of the geographical part, for want of a chart, is in a great degree unintelligible.

unintelligible. This defect, which might so easily have been obviated, is a considerable drawback on the value of the volumes, and ought to be supplied in the event, which, we think probable enough, of another edition being called for.*

It is rather surprising, that, in the 'thirty-eighth year,' so little progress has been made in discovery, where so extensive a field of *terra incognita* surrounds the settlers. In fact, a very small portion of New Holland is as yet at all known. The Dutch and French have visited certain parts of the coast, and Dampier, Cook, Flinders, and King have more minutely examined the rest, so that we have most of the bays and prominent headlands laid down with sufficient accuracy; but beyond this, with the exception of Sydney and its dependencies, not a mile of the interior is known. Discoveries, it is true, are slowly and gradually making, particularly to the northward on the eastern coast, where some harbours of no mean dimensions, and rivers of considerable magnitude have recently been found, where none had been supposed to exist, the overlapping of headlands having concealed them from the coasting navigator. Many great rivers, we have no doubt, will yet be found to exist on the northern and north-eastern coasts—were it otherwise, this immense continent would present a physical constitution in its geographical phenomena, at variance with what occurs in all other countries. Nothing could be more unsatisfactory than Mr. Oxley's account of the supposed termination of the Macquarie river, behind the Blue Mountains, in an inland sea, or overflowed marsh; and we must confess our surprize, that no enterprising person should have been found to push discoveries in that direction into the interior. Persons in the employment of government obtain large grants of land on such easy terms, that *they* cannot be expected to undertake expeditions which would subject them to considerable personal hardship—but if so many hundreds or thousands of acres, on a graduated scale, according to the degree of longitude reached in proceeding westerly, were held forth as the reward of discovery, we cannot help thinking that candidates would be forthcoming, to embark in expeditions which might lead to important results.

To show how fallacious is what is called a survey by running along the coast, it may be mentioned, that Captain Cook, in passing the entrance of Port Jackson, calls it 'a creek in which boats might enter and find shelter,' never once suspecting that within that narrow entrance lay the tortuous harbour of Sydney, ca-

* Since writing the above, we perceive that a second edition is announced, accompanied by a chart.

pable of containing all the navies of the world; and both Cook and Flinders crossed Moreton Bay,—nay, the latter anchored in it, without the smallest suspicion of so fine a river as the Brisbane discharging its waters into it, concealed, as it is, by an island, which stretches in front of the debouchure. We conceive ourselves, therefore, borne out in supposing that many more extensive harbours and fine rivers yet remain undiscovered on the great continent of New Holland; and hope that, besides entertaining our readers, Mr. Cunningham's work may have the effect of stimulating attention to this subject in the proper quarters.

We cannot conclude without observing, that Mr. Peter Cunningham is stated to be a brother of Allan Cunningham, well known as the author of some very pleasing ballads in the Scottish dialect—and of two or three romances, in which, whatever else may be wanting, there is a considerable display of genius and inventive power:—the appearance of two such men, in one humble cottage-bred family, is a circumstance of which their country has reason to be proud.

ART. II.—*Lucian of Samosata, from the Greek: with the Comments and Illustrations of Wieland and others.* By William Tooke, F. R. S., Member of the Imperial Academy, and of the Free Economic Society of St. Petersburg. London. 2 vols. 4to. pp. 1580.

WE have, in our language, several old versions of select portions of Lucian; of which the best is that published in 1664 by the learned Joseph Mayne:—and four translations professedly complete—namely, that of Spence (1684), which is every way worthless; that of Moyle, Shear, and Blount (1711), an unequal and inaccurate work, to which Dryden prefixed a hasty and inaccurate preface; that of Dr. Franklin (1780), on the whole an excellent performance; and last, the result of Mr. Tooke's exertions.

His title-page sets out with a mis-statement: the book has no claim to be called 'Lucian of Samosata, from the Greek.' It is demonstrable from any one of Mr. Tooke's pages, that he never attempted to render a line of Lucian's own language—that his only original was the German version of Wieland. There is another error. The reader naturally supposes that Mr. Tooke has examined for himself the various editions of his author, and embodied whatever he found valuable in other men's comments as well as Wieland's. But Mr. Tooke has done nothing like this.

this. The work, moreover, has been very hastily executed, or the writer's acquaintance with the German language is inaccurate; it is certain, from whatever cause, that they who really wish to have the help of Wieland in their Lucianic studies, must not rely in perfect security on Mr. Tooke's version.

We have great doubts whether any bookseller would find it profitable to bring out another edition of Dr. Franklin's *Lucian*—or indeed any complete, or nearly complete, version of that author's works.* It is absolutely impossible to strike out his filth, and yet present him in anything like an intelligible form. Scholars will never study him but in his own tongue, and selections are all that the mere English reader can have the right, or, probably, the wish to be acquainted with. Whoever undertakes to edit any such selections will do well to consult Wieland at every step of his work; but we must, at the same time, warn him to compare the ingenious German throughout with Dodwell and Reitze, and, above all, not to put hasty confidence in any statements concerning the personal history of the satirist which shall be found at variance with these authorities. Wieland's lively essay on the life and writings of his author is far more pleasant reading than the preface to the Bipont edition; but it is there, and there only, that the scanty materials of Lucian's biography have been considered and arranged with any thing like an approach to due caution and accuracy.

The performance to which we have alluded is, however, far indeed from being what we should, at this time of day, see prefixed to the works of such an author as Lucian. In fact, no writer of equal rank has derived so little benefit from that enlarged and liberal species of critical illustration which has been applied, within the last fifty years, to the great monuments of ancient literature; and the circumstance is the more to be wondered at, because, as we have ere now had occasion to remark, he is, of all the ancients, the author whose tone, style and spirit have been most successfully caught and imitated among the moderns. In truth, Lucian may be considered as the great connecting link between the old literature and the new; and what else, indeed, should be looked for in the most admired and popular author of the age of the Antonines—that age of perfect political tranquillity, in which the whole inhabitants of the civilized world found themselves, for the first time, fellow-citizens; in which the intercourse of Syria and Gaul resembled that of two counties in the same modern kingdom; when Roman law and Greek philosophy, and, we may add, Egyptian

* Franklin has left two or three of Lucian's tracts untouched, on the score of indecency; had that argument been intended to bear any weight with him he should have omitted many more. He has also judiciously avoided some of the spurious pieces.

superstition, were cultivated with equal zeal, and exerted co-ordinate authority, from the Euphrates to the Thames; and when, amidst this wonderful blending and interfusion of nations and arts, opinions and prejudices, a religion, destined ere long to revolutionize the whole frame and structure of society, was rapidly spreading its influence, without apparently attracting much more notice from the great, the wise, or the witty of the earth, all in their spheres its unconscious coadjutors, than would in our own time be commanded by the development of another variety of methodism in England, or the establishment of some new body of missionary miracle-mongers in France?

Lucian was the Voltaire of this extraordinary period: but he exerted higher powers upon a yet wider scene, and, however unconsciously, to infinitely more important purposes than Voltaire's. The bitterness of wrath which his satire excited, may be measured by the profound silence in which contemporary authors pass over the name of so remarkable a person. Had his own works perished, we should scarcely have known that such a man ever existed. Suidas would have told us that an impious sophist of this name had lived 'in the times of Trajan and afterwards;' practised as an advocate at Antioch; written ferocious diatribes against the Christian faith, and been 'torn to pieces by dogs as a fit punishment of his blasphemies; and foretaste of the eternal pains;' and another still obscurer drudge would have added that 'he originally embraced Christianity, and, after renouncing his creed, used to say he owed nothing to his connexion with that sect, but the corruption of his name from Lucius to Lucianus;' and who would have troubled himself to ask in what proportions truth and falsehood were mingled in these meagre notices?

Nor, indeed, can much be gathered as to his personal history from his own works, voluminous as these are, and composed moreover, in a great measure, of occasional pieces. The leading facts, about which there can be no dispute, are few in number; as that he was born in Samosata, then a town of some importance, and afterwards the seat of a bishop, but now a paltry village in the pashalick of Aleppo; that his parents were extremely poor, and would fain have had him apply himself to statuary in the workshop of a maternal uncle; that an early passion for literature induced him to leave the trade after a short trial; that he wandered for a time about Syria in very distressed circumstances; practised at the bar *somewhere* (Wieland supposes at Athens, but, whatever we may think of Suidas's authority, Antioch seems much more likely to have been the scene of such exertions); that being disgusted with the tricks of the courts—which, however, may
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be his euphemismus for being dissatisfied with his own success in them,—he in a few years quitted the bar for ever, and took up rhetoric as a profession; that he visited, in his capacity of *sophist*, several provinces of the Roman empire, among others, Gaul, and perhaps Spain; that, before he was forty years of age, he had realized a fortune, moderate indeed, but such as permitted him to withdraw from professional avocations, and devote himself entirely to literature; that he subsequently visited Italy, Greece, Macedonia, and the various districts of his native Asia Minor—enjoying a high reputation, and mingling every where with the first society, Roman and provincial; that in advanced life he accepted an appointment of considerable importance in the service of the state; and that (in all probability at least) his official duties fixed his ultimate residence in Egypt. The piece, which shows that he might have been a great poet had he had a mind, shows also that he was much afflicted with the gout—whence, probably, a tradition that he died of that disease. It is quite impossible to fix the year of his birth; and all we know of the period of his death is, that it did not occur until after the reign of Commodus had begun.

By what prince he was promoted in his old age, there has been much controversy. Dodwell inclines to think that his appointment was bestowed by Avidius Cassius, the rebellious viceroy of Marcus Aurelius, in Syria, and of course lasted but for a few months. But the calm terms in which he himself speaks of his official occupations are scarcely to be reconciled with that hypothesis; and on the whole, Massieu seems to be successful in his defence of the old tradition, that Marcus Aurelius was his efficient patron. The chief objection to this was, that Lucian has composed two elaborate encomiums on the Grecian consort of his-imperial patron; by name Panthea; that Marcus had no wife but the fair and frail Faustina; and that though, after her death, he took a Greek concubine to his bed; no such person could ever have been suffered, by a frugal philosopher like him, to live in the high splendour which Lucian ascribes to this Panthea: but it is answered, that the concubine of Aurelius held the same sort of rank with a Madame Maintenon, or a modern German sovereign's 'wife of the left hand,' and must, especially in the eastern provinces, have appeared with many circumstances of imperial magnificence. As to the name *Panthea*, (the *all-divine*,) it seems to be too easily taken for granted on all sides, that this was a real one. To us it appears much more likely to be fictitious; and it is certain that Lucian was quite accustomed to panegyrisé his patrons under such appellations,—witness the Roman consular

Æsculapius, to whom he indites a long and formal apology for having saluted him one morning in a manner not quite consistent with the established etiquette. But the whole of this dispute is frivolous: we cannot imagine that Lucian was a man who would have scrupled about describing any empress or any imperial concubine in whose way he happened to be thrown, in whatever manner he thought most likely to gratify her fancy; nor is there any evidence whatever that the Panthea of his dialogues was either the wife or the mistress of the particular prince who gave him his appointment. The practised *littérateur*, who tells us that he had 'one foot in Charon's boat,' ere he got his 'place under government,' and who was obviously so much delighted with the dignity when he did obtain it, had, we may fairly suppose, thrown away not a few oily paragraphs in his time.

- We had almost forgotten another objection, which, indeed, the Abbé Massieu seems to have considered unworthy of a serious reply; namely, that the second Antonine was little likely to patronize such an habitual persecutor of the stoics of his day, as Lucian. The satirist himself was at pains enough to proclaim that one might laugh at a Zenothemis, and yet have all manner of respect for a Zeno. But who ever fancied that Marcus employed no men of letters in the administration of the empire, but those of his own sect?—or gravely doubted that so wise a prince might be willing to avail himself of talents like Lucian's, with whatever heterodoxy of speculative opinion he might find them combined? The patronage which literary men of all persuasions received during this reign, was among its most striking features; and there is, perhaps, none which has been more copiously illustrated in the writings of our author himself.

The argument of Wieland, who differs from both Dodwell and Massieu on this head, and thinks that the author owed his post to *Commodus*, is simply this: that Lucian describes himself as having one foot in Charon's boat at the time of his elevation, and could, according to Massieu's own chronology, have been no more than sixty years old when Aurelius died. Lucian's expression about his foot might possibly have some allusion to his gout; but who does not guess the real state of the case,—namely, that Wieland was on the wrong side of fifty when he found it so ridiculous in a gouty sexagenarian to talk of himself as old?

We have no doubt that much remains for a skilful editor of Lucian: nothing like a chronological arrangement of his multifarious tracts has, as yet, been attempted—and surely some approximation, at least, to such an arrangement might be effected, were the style, structure and purpose of the various pieces carefully

fully scrutinized, and their bearings towards each other critically and philosophically weighed. There are, it is on all hands admitted, at least a dozen pieces which ought to be thrown entirely out of the collection—puerile and meaningless mimicries of the great master's peculiar manner of writing; and as many more which ought to be placed in a volume by themselves, not without their value as specimens of Lucian the professional sophist and declaimer, but which, mixed up among his riper compositions, have no effect but that of disappointing and confusing the reader. In the course of such an arrangement, new light would no doubt be thrown on the author's personal history; but in the meantime we must dismiss this, and turn once more from the man to the period, of which his works, even in their present condition, present, perhaps, a more complete as well as lively picture, than any other single author could supply with respect to any other period of the ancient world. For this nephew of the image-hewer of Samosata had climbed as many steps in the social scale as any Gil Blas or Hajji Baba of them all; and though we are denied the advantage of surveying the objects in precisely the same order in which they met his view, the sketches from the life have been preserved, and it is a matter of secondary importance in what order we may stick them into our portfolio. A Fenélon or a Barthélémi might find in these volumes abundant materials for an historical romance, worthy, to say the least, of a place on the same shelf with Telemachus and Anarcharsis; and, admirable as Wieland's translation is, it is impossible not to regret that the three years which it cost him had not been given to a labour in which his genius might have been exercised as well as his ingenuity.

There is almost as little of politics in Lucian as in Horace; but the one was careful to avoid such topics, the other could not have found them had he had a mind. It is only in his contemptuous sketches of Roman manners that we trace that deep-rooted hatred of the Roman sway, which yielded to nothing but the long-deferred pleasure of bearing a part in its administration. His family was of Greek origin; and his anxiety to be considered as thoroughly a Greek, is betrayed in his frequent jokes upon himself as a Syrian, a semi-barbarian, a person whose proper habit ought to be the candys, about as distinctly (for who dreads a jest like a jester?) as in his direct and elaborate flatteries of the Greeks proper—above all, of the Athenian community. It was in vain for Hadrian and his successors to lavish every species of imperial patronage on the vainest of all human tribes; to hellenize dress, manners, and language; to disgust their own countrymen by proclaiming Grecian taste the sole standard of excellence in letters

as well as arts ; and by surrounding their persons, wherever they moved, with secretaries, parasites, and paramours of the chosen race. The Austrian dynasty might as well hope to make themselves and their nation beloved beyond the Alps by pensioning *prima donnas*, and choosing their confessors at Milan or Bologna. Nothing could soften the bitterness of Greek recollections ; new bridges, new temples, even new theatres were as much the emblems of their degradation as prætorian palaces or triumphal arches. They gazed, listened, applauded, and hated on as fervently as ever. Lucian, until, at the height of literary celebrity, he begins to have *place* in view, never alludes to the sovereign-people without a sneer of far deeper spleen than any Greek absurdity whatever is able to provoke. But it is in his description of Rome itself that his feelings on this head come out the most fully : nor is it the least artful of his expedients that he puts all his abuse into the mouth of a Roman. But no Roman satirist ever seized on the same points which he delights to labour : they condemn patrician luxury and debauchery, but with him these are only secondary matters ; the object of his relentless spleen is what every Roman author overflows with in his own person—the universal pride of the nation. A Roman, by patronizing an Attic philosopher, no more conciliated him, than he would have done so by fondling a lapdog from Melita, or a Thessalian palfrey. The air of perpetual, incontestable, serene superiority was what was intolerable ; and the emigrant Abbé of Aix or Caen who has taught the language of the Great Nation in London or Vienna, or perhaps the Brahmin whom an appointment in Bishop's College has brought from Benares to Calcutta, may be among the persons most likely to sympathise with his views of the Eternal City.

Not that he spares the patricians—even in Nigrinus. The interior of this ancient Platonist's simple dwelling forms a striking contrast to the prospect which he shows the satirist from its window. The old man is found with a book in his hand, and surrounded with busts of sages ; a board covered with geometrical figures leans against the wall behind him, and on the table there is ' a sphere of reeds, to represent, as it seemed, the universe.' He has no attendant but a single boy, who does not immediately admit the visitor into this retreat. The philosopher, who had studied at Athens, greets Lucian with something like the warmth of an old fellow-collegian, and hastens, as Wieland expresses it, ' to lighten himself of his long-boarded gall upon the frivolities and vices of his countrymen.' The Romans, says he, dare to speak truth once in their lives—when they make their wills ; and what use do they make of this liberty ? why, to command some favourite robe to be burnt with them, some particular slave to keep

keep watch by the sepulchre, some particular garland to be hung about the urn! And this is the end of a life spent in being carried on soft litters to luxurious baths, slaves strutting before, and crying to the bearers to beware of the puddles, and gorging at banquets, and being visited at noon-day by physicians, and all the bustle and tumult of the hippodrome, all the noise about statutes to charioteers, and the naming of horses.* These are the people whom one must approach *ες το περσιχον*. Kissing their vest, their hand, their bosom—never, oh, never, thank heaven! their lips; these are the gentry whose fingers are so overburthened with rings, whose hair is so fantastically curled out, who answer one's humblest salute by proxy, and who are accustomed, nevertheless, to see beggars become viceroys, and viceroys beggars, as at the shifting of a scene!—The old man proceeds to compare the repose of sober Athens with the pomp, glare, and tumult of the imperial metropolis; and one feels, in reading the passage, in every line of which we recognise the sadness wherewith disappointed age looks back to the season of youth and hope, as if we were listening to some hoary, unbeneficed Oxonian unburthening his heart in a garret of St. James's.

While the great world of Rome was thus pursuing the career of silken debauchery amidst the din of hireling applauses, and the literati of Athens were lounging in their beautiful porticos, and consuming life in the discussion of the merits and demerits of fantastic theories, it is curious indeed to look below the surface of things, and see what sentiments prevailed in the various classes of society concerning subjects which, however pride may seek to disguise it, have in all ages possessed the deepest interest for the human mind, educated or uneducated. It is from Lucian alone that we can gather any distinct notion of the religious condition of the heathen world in the second century. The Christian authors condemn things in the mass, and justly; they understood not, or they disdained to describe, the strange and irreconcilable feuds which were secretly tearing in pieces what seemed, to distant eyes, an unbroken web of congenial abominations. It was the want of an universally recognised supreme ecclesiastical authority, which dealt the first deadly blow to the false church of heathenism; and the lesson was not thrown away. Infidelity and superstition might have gone on for many more ages, understanding, bearing with, nay aiding each other; but the old superstition split into sects, and that enmity, where there was no common

* Perhaps some of our readers may be amused with hearing what sort of names were fashionable in the old Roman stud: Spon has published an inscription which gives, among others, Dædalus, Ajax, Romulus, Roman, Gætulian, Victor, Memnon, Wolf, Pard, Pegasus, Argo, Æther, Arrow, Bolt, Dart, Sparrow, Spider, and Flea; of which the majority were Africans.

authority to control its energies, was hopeless. Lucian, like a cunning general, is careful to attack his foes separately. In the piece which he dedicates to Paphos or Delphi, he keeps clear of Heliopolis and Bombyce, as cautiously as Rabelais, had he written somewhat earlier, and with more serious purposes, would have avoided lashing Franciscans and Dominicans in the same romance. But it is easy to see which he considered as the more formidable enemy. The proper Greek mythology is to him the object of broad jesting, and a merry contempt—with very few exceptions, (the tract concerning Sacrifices is the chief of them,) he is not betrayed into anything like earnest indignation by its absurdities; and the piece which forms the main exception is, we may safely pronounce, from the internal evidence of style, among the earliest of his productions that have descended to us. It is in a far different mood that he deals with those dark Asiatic temples from whose recesses an older, severer, and, above all, more mysterious variety of the same blasphemous quackery was spreading its influence wider and wider every day over the Roman world, at the very moment when the pure light before which all these painted meteors alike were, ere long, to wax dim, had begun to manifest its growing splendour in the same quarter of the globe. His bitterness is betrayed by the gravity with which he paints the true Loretto of his time at Manbog; and we at once perceive the real state of relations between the European and the Asiatic systems of religious fraud in this remarkable particular, that he attacks systematically the ridiculous deities of the former, the audacious priests of the latter.

Dr. Franklin, by the way, treats, as a mere fiction, one circumstance in Lucian's description of the famous Hieropolitan temple, namely, the presence of lions and bears walking about and feeding quietly in the outer court of the goddess, in the midst of horses, oxen, and tame birds of various kinds; and Wieland thinks he solves the difficulty by suggesting that the cunning Galli disguised sheep and calves in the skins of wild beasts, and took care to arrange matters so that the uninitiated should not approach them too closely. We confess we are weak enough to think it far from impossible that the beasts were what they seemed; and perhaps Wieland's scepticism might have been more Pyrrhonic on this head, had he been acquainted with the tiger-packs, and certain other pets of the modern princes of Hindostan, to say nothing of a crowd of traditions too diverse in origin, and too uniform in essentials, to be easily dismissed as resting on mere invention. How should we guess, from mere European experience, to what extent the art of taming might be carried among a body of wealthy jugglers, devoting themselves, through a long succession of
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ages, to the craft and traffic of popular deceit?—But, not to go beyond Europe, or very recent times, had Wieland forgotten altogether the lion that lived four weeks in Rubens' chamber, when he was painting his 'Daniel'? There can be no doubt that the success of this piece of trickery, however accomplished, was perfect in its way, since Lucian mentions these monsters as coolly as he does the dimensions of the area in which he saw them; and who can doubt what the effect must have been on those who came prepared for every superstitious impression, of a spectacle which seemed to proclaim so distinctly, in the midst of so many congenial accompaniments, the actual presence of a deity, before whom every form of universal nature was subdued in the quiescence of a common awe?*

The satirist's unextinguishable hatred of those intrusive superstitions peeps out, even where we should have least expected anything of the kind, amidst the merriment and drollery of his famous Milesian tale, (the origin of all modern novels and romances,) where the thievery of the itinerant priests brings so many blows upon the innocent shoulders of their poor comrade the ass.

It is a favourite object of modern infidel writers to represent the progress of Christianity in those days as having been comparatively easy, in consequence of the utter previous demolition of the old heathen creed; but every circumstance in Lucian's picture of the religious condition of his time may be set up in evidence against them. We all know where, and among what classes of Gentile society, the true religion first established itself—and, surely, if we are to put any faith in this great painter of manners, among those classes in the Asiatic provinces of the empire, there was no *tabula rasa* of the popular mind ready and willing to receive any new impression that might chance to come. Every line speaks of a people sunk in abject subjection to a most elaborate system of superstition, hoary indeed with age, and high-blown with presumption, but not, therefore, the less on the alert, nor the less vigorous in its activity. His account of Alexander of Abonoteichos is, in every point of view, one of the most extraordinary documents to which the historian of human delusions can refer; and we venture to recommend that single tract to the serious attention of those who, though bearing the name of Christians, are

* Gilbert White is not ashamed to quote, upon a somewhat similar occasion, the words of sacred writ, 'every kind of beasts, and of birds, and of serpents, and things in the sea, is tamed, and hath been tamed of mankind.' (St. James, iii. 7.) And, by the way, let us use the license of a note, to remark that White's delightful work is no longer shut up in a quarto. It is most pleasing to witness the exertions made by eminent writers of our time to produce food for the juvenile mind. Shall we be pardoned for observing, that the 'Natural History of Selborne' ought to have a place among the household books of every English family?

not ashamed to bid us wait for some self-wrought crumbling away of the spirit of Brahminism ere we look for any results but those of political evil, from preaching the gospel within sight of its bloody shrines.

'As things are now,' says Lucian, in one of his epistles, 'every man is, as the proverb has it, an ant or a camel;' and the saying is a key to the history of the time. The social chain had rusted and dwindled through all its middle links; there was little left between the lord and the slave; and this can never be the case in an age either of barbarism or of refinement, without bringing along with it evils yet more deadly than those political mischiefs which are its visible attendants. The perilous extent to which slavery had grown all over the empire is known from other sources;—the fact is implied in Lucian's writings *passim*. We have nowhere from him those glimpses of a peaceful and contented peasant life which lend so many charms to the works wherein the earlier periods both of Greek and of Roman society are illustrated. With him the transition from the beechen bowl to the golden cup studded with gems is immediate, and the existence of a rooted and universal enmity between the hovel and the palace seems to be taken for granted. It was far beyond the power of the mildest and most benevolent of despots to cure evils which were necessary consequences of the very events to which they themselves owed the possession of universal dominion. The imperial government was built, and it behoved it to rest upon, a total corruption of manners:—the settled ennui of gorgeous luxury, and the heart-broken prostration and listlessness of misery sunk below all hope, these were the only elements of safety which even an Antonine could contemplate from the throne which dazzled the world. The bloated excess of sensual indulgence, and the nerveless exhaustion of over-wearied penury, were their twin-ministrants; and these are influences almost alike effective in both the kindred causes of superstition and tyranny.

It is curious to trace the contradictions into which Gibbon could be betrayed by that miserable spleen, which, like an ever-present demon, controlled the workings of his masculine understanding.

'The division of Europe,' says he, 'into a number of independent states, connected, however, with each other, by the general resemblance of religion, language, and manners, is productive of the most beneficial consequences to the liberty of mankind. A modern tyrant, who should find no resistance either in his own breast, or in his people, would soon experience a gentle restraint from the example of his equals, the dread of present censure, the advice of his allies, and the apprehension of his enemies. The object of his displeasure, escaping from the narrow limits of his dominions, would easily obtain, in a happier climate, a secure refuge, a new fortune adequate to his merit, the freedom of complaint,

complaint, and perhaps the means of revenge. But the empire of the Romans filled the world, and when that empire fell into the hands of a single person, the world became a safe and dreary prison for his enemies. The slave of imperial despotism, whether he was condemned to drag his gilded chain in Rome and the senate, or to wear out a life of exile on the barren rock of Seriphus, or the frozen banks of the Danube, expected his fate in silent despair. To resist was fatal, and it was impossible to fly. On every side he was encompassed with a vast extent of sea and land, which he could never hope to traverse without being discovered, seized, and restored to his irritated master. Beyond the frontiers, his anxious view could discover nothing, except the ocean, inhospitable deserts, hostile tribes of barbarians, of fierce manners and unknown language, or dependent kings, who would gladly purchase the emperor's protection by the sacrifice of an obnoxious fugitive. "Wherever you are," said Cicero to the exiled Marcellus, "remember that you are equally within the power of the conqueror."—*Gibbon*, vol. i. p. 132.

And he adds, in a note:—

'The place of Ovid's exile is well known, by his just, but unmanly lamentations. It should seem that he only received an order to leave Rome in so many days, and to transport himself to Tomi. Guards and gaolers were unnecessary. Under Tiberius, a Roman knight attempted to fly to the Parthians. He was stopt in the streights of Sicily; but so little danger did there appear in the example, that the most jealous of tyrants disdained to punish it. Tacit. Annal. vi. 14.'

But a few pages before we read, that

'If a man were called to fix the period in the history of the world, during which the condition of the human race was most happy and prosperous, he would, without hesitation, name that which elapsed from the death of Domitian to the accession of Commodus. The vast extent of the Roman empire was governed by absolute power, under the guidance of virtue and wisdom. The armies were restrained by the firm but gentle hand of four successive emperors, whose characters and authority commanded involuntary respect. The forms of the civil administration were carefully preserved by Nerva, Trajan, Hadrian, and the Antonines, who delighted in the image of liberty, and were pleased with considering themselves the accountable ministers of the laws. Such princes deserved the honour of restoring the republic, had the Romans of their days been capable of enjoying a rational freedom. The labours of these monarchs were overpaid by the immense reward that inseparably waited on their success; by the honest pride of virtue, and by the exquisite delight of beholding the general happiness of which they were the authors.'—*Idem*, vol. i. p. 126.

The 'superstition barbare de la Palestine' (as a bolder infidel phrases it) was not destined to disturb a scene of such profound repose. The Roman police was, indeed, perfect for all political purposes, and so was, so perhaps still is, that of the French; but
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it would not be difficult to prove, with whatever disgust the loungers of the boulevards and cafés might witness such an attempt, that no police is more wretchedly inefficient, where political purposes are not concerned, than the Parisian; that more untraced, and unavenged blood, for example, is annually shed in and about that glittering Babylon than in any three Christian cities besides: and, in like manner, the reader of Lucian is furnished with perfect evidence that, amidst all the splendour of the golden æra of the Antonines, there was no lack of rottenness in the state of the magnificent empire, for which, be it admitted, these virtuous princes would fain have effected all that their eulogist has fancied. Robberies and midnight murders occur in our author's writings almost as frequently as adulteries and debauches; and we learn from a casual parenthesis in his account of the great Paphlagonian impostor, that a gentleman no more dreamt of travelling in those days in Asia Minor—then the garden of the world—without a guard of soldiers, than he would now in the most barbarous province of the Grand Seignior's dominion. The lucky chance that Lucian's *janisaries* had followed him to the gate of the serpent-oracle's abode, saved the life of the rash Pyrrhonist, when the cool-headed master of the loathsome show (who knew very well that the disappearance of such a person might be inquired into) could scarcely have prevented his being torn in pieces by the crowd of rude and exasperated devotees. And had Marcus Aurelius condescended to play the Haroon Alraschid for a single night in any great city of his empire, he would have found out that the evils of the time called for other remedies than those periodical courses of lectures with which he held it his duty, as a sovereign, to edify audiences both Greek and Roman, and considerably more thronged, we may believe, than have usually gratified the vanity of unpurpled professors of ethics. Had Gibbon condescended to examine other sources as diligently as he certainly did the formal and professed documents of history, he would, perhaps, have avoided more important errors than that at which we have been glancing; but it is singular that one so fond of dwelling on the ridiculous superstitions which priestly craft was able to engraft on the religion of the Bible during the decline and fall of the old Roman power, should have touched with so gentle a hand upon the prevalence of absurdities of kindred origin and complexion, and attended with moral consequences of precisely the same character, among every order of men in a society which he has the fancy to set before his readers as equally happy and enlightened. His boasted age of philosophical light and heathen toleration never had any existence except in the pages of hirelings and flatterers, and in those of well-meaning princes, the dupes of their own vanity, and of the lies by which that

that vanity was systematically fed. We must look, not to the three or four place-hunting pieces of Lucian, but to the mass of his works, and their scope as a whole; the result will be satisfactory, *absolvatque Deos*.

To say that this multifarious collection of popular essays teems with proofs of the utter subjection into which the priestcraft of heathendom had reduced, and in which, in spite of all that the real philosophy of antiquity could do, it preserved the vulgar mind, would indeed be idle; if that had not been the case, it were impossible to imagine that a man of the tythe of Lucian's talents could have published a body of exquisitely polished writings, the main object of which, avowedly and obviously, is to cry down existing superstitions. But what we are satisfied even Gibbon had never properly adverted to is, the extraordinary picture which these works exhibit of the intensely superstitious feelings prevalent among the very highest classes of society—the Roman senators and the Greek philosophers alike. We have already alluded to the elaborate tract in which Lucian tries to soothe a nobleman of consular rank, whose mind had been disturbed to its centre in consequence of his mistake in saluting him one morning with a *ὕγιαίνε* instead of a *χαίρει*; a circumstance nearly equivalent to an accidental transposition of 'good evening' and 'good morning' among mortal men—*οἶδι νυν βροτοὶ εἶσι*. In the account of Alexander of Abonoteichos, we are informed distinctly that when the fame of the framer of the paper-headed serpent began to resound through Italy, 'all was bustle and hurry, the only strife being who should be first served with an oracle. Some went themselves, others sent their servants; but of all classes the most elevated were they that manifested the greatest eagerness in the pursuit;' and he goes on to the history of a certain Rutilianus, a senator who had filled some of the first offices in the imperial government, and who now sent embassy after embassy from Rome to Paphlagonia, until at last he consulted the prophet of the foolscap dragon touching the choice of a second wife, had his due reward in a most pithy and sonorous hexameter, which bade him 'marry the daughter of Alexander and Selene,' (i. e. the Moon,)* and actually, in obedience to the holy voice, made the impostor's bastard his spouse, and celebrated the consummation in a style of splendour which attested his full sense of the dignity of a close alliance with the glory of earth and the queen of heaven:—the whole of which story, be it remembered, Lucian expressly introduces as *a specimen*. Nor can we regard, in any other light, that unequalled congeries of absurdities which he presents to us as the substance of a conversation held by a com-

* Γῆμον Ἀλεξάνδρου τι Σελισαίνης τι θυγάτηρα.

pany of the most eminent philosophers and physicians of the time at the bedside of an Athenian nobleman of illustrious rank, in his Philopseudes. His 'lie-lovers' are gathered from among 'the salt of the earth'—assuredly the satirist had other ends in view than merely raising a laugh at the personal foibles of half a dozen odd, eccentric, hair-brained individuals. It is one of the most finished of his pieces; there is none in which the minute shades of character are more carefully preserved and delicately blended, or where the style varies in more delightful harmony with every variation of the topics.

The ingenious illustrator of the popular superstitions of Ireland will find here the prototypes of all his Phocas, Banshees, and Cluricaunes—stories told with the most consummate gravity by personages of the highest condition and accomplishment,—nay, attested, in many instances, with the most solemn appeals to personal character and trustworthiness—of ghosts, witches, Hyperborean and Libyan charms, brooms animated at the touch of a wand, assuming the likeness of clever lacqueys and abigails, performing the becoming functions during any space of time required, and, on its termination, forthwith re-broomed; bloody skeletons drawing men's curtains at the dead of night, and pointing the way to cellars in which their bones lay unblest and restless; a serpent-bitten vinedresser cured by the spell of a Babylonian, who tied around the wounded toe a bandage inclosing a chip of the tombstone of a recently buried *virgin*; a small bit of clay formed into a Cupid, told to fly to a distant damsel and deliver a tender message, and obeying; of astonishing results from the wearing of a ring made out of the iron-work of a gibbet; of a statue of Pelichus, that used to come down every night from its pedestal in the mansion where the conversation is held, and walk about the house, and which appeared crowned with wreaths newly gilt in honour of a cure it had recently effected on the person of the proprietor; of an African groom in the narrator's service, who stole some oboli that had been deposited as offerings at the feet of this Pelichus, and who, after running, as he supposed, all night away from the scene of his felony, found himself at daybreak within a few yards thereof, re-entered the house, confessed his guilt, restored the oboli, was whipt regularly every night afterwards by an invisible scourge wielded by an invisible hand, and at last died of terror; of a bronze Hippocrates two spans high in the possession of another of the company, the family physician of the great man, who, whenever the oil in the lamp before him was burnt out, was sure to skip down from the shelf, jump all over the house, make a sad clatter among the dishes, and jumble the contents of the doctor's *gallipots*; of a tall female spectre, an ancestress, no question, of Major Weir's

Weir's sister, who came sailing out of a wood with her cap on a level with the highest trees; of another lady, who appeared to her husband some weeks after death, to tell him that she felt uncomfortable in the other world in consequence of his having omitted one slipper when he was burning her wearing apparel, and pointed out the place in which the slipper would be found, namely, behind her clothes-press; of a pestle which being, after the mumbling of three syllables, desired to fetch water, immediately seized a pitcher and set to work—too diligently—for the person who used the spell was unacquainted with the countercharm, and could not make the pestle stop again,—and how his taking an axe and cleaving the pestle in two only made matters worse, for then there were two pestles and two pitchers all employed with the like persistence of zeal, &c.

'Never,' says Wieland,* 'was the propensity to supernatural prodigies, and the avidity to accredit them, more vehement than in this otherwise very enlightened age. The priestcraft of the ancient Egyptians, the different branches of magic, all kinds of divination and oracles, the so-called occult sciences which associated mankind with a fabulous world of spirits, and pretended to give them the controul over the powers of nature, were almost universally respected; persons of all ranks and descriptions, great lords and ladies, statesmen, scholars, openly appointed and pensioned professors of the Pythagorean, the Platonic, the Stoic, even of the Aristotelian sect, thought on these topics exactly as did the simplest of the people. New oracles came into credit, to the prejudice of the old, and exceeded them in the number of their visitors: a firm belief was placed in miraculous images. The genius of the times, like the Emperor Hadrian, was made up of all imaginable incongruities; men believed everything, and nothing; in company they laughed at objects, at which they trembled when alone or in the dark. The vanity of being considered as *enlightened*, could not, with a particular class of persons, who were frightened at the smallest exertion of intellect, be better gratified, than by that commodious middle state between scepticism and credulity, wherein everything is doubted that ought to be believed, and everything believed that ought to be doubted; a disposition blind and deaf to the most important truths, when these can only be understood by patient and keen reflexion; to be deluded by the most absurd chimeras, whenever these present themselves in a mysterious garb, and promise short north-west passages to sublime all-comprising sciences and superhuman arts.

'Enthusiasm and superstition are not only compatible with every degree of mental and moral depravity, of which they are not unfrequently the effects, but again become, by the very nature of the case, abundant sources and powerful means of promoting them. The

* We do not transcribe implicitly Mr. Tooke's version.

same imbecility which cannot resist the succussions of a crazy brain, and the visions of a distempered fancy, will be overpowered by every impulse of passion, every allurements of sense. Accordingly, the times wherein fanaticism has formed a principal feature, have always likewise been distinguished by a high degree of moral corruption: and that this is applicable to the period under consideration, is abundantly proved by the writings of Lucian.

‘Such, then, was the state of affairs over the far greater part of the known world even under the Antonines, the mildest and most benevolent sovereigns that the Roman world ever knew; thus wild and giddy were the heads of the great majority of mankind—so greatly were even those that took upon them to be medical practitioners for the mind, in want of a physician for themselves—when Lucian conceived the resolution to encounter the reeling genius of his age with the only weapons of which that genius was afraid, and against which its enchanted armour could not protect it—the witty derision of cool common sense. Endowed with an upright mind, and a sincere love of truth and honesty in all things, the inveterate enemy of all affectation and false pretences, everything overstrained and unnatural, all imposition upon true-hearted simplicity, all usurpations, which either the cunning impostor by artfully disguised methods, or the enthusiastic self-deceiver, by shining natural talents and the contagious ardour of his intellectual fever, might have the art to establish amidst the dull mass of the poor and weak in spirit—he made it the business of his life and the principal aim of his writings to unmask, wherever he found them, falsehood, delusion, imposture—from the theological fictions of the poet, to the tales of the ghostseer and necromancer—from the wiles and cajoleries of the wheedling sisterhood, a Lais, a Phryne and Glycera, to the infinitely more important tricks of the religious juggler and the oracle-coiner,—but especially, and with the most inexorable severity, the specious wisdom and gravity, the ignorant word-learning, the hypocritical virtue, the mean tricks and vulgar manners of the trading philosophers of his time,—to represent all these several guilds of the great corporation of cheats in their real shape and nakedness, and thereby to serve his contemporaries, in the exact proportion in which he might safely count on the fervent hatred and persecution of the many-headed and thousand-handed party, whose craft and profit lay in the deception of the people. The very circumstance that, in order the more certainly to attain his serious purpose, he so frequently found himself compelled to conceal it under an appearance of frivolity, and seem to be merely amusing while he was doing his best endeavour to instruct, must, in the eyes of the sober and judicious, greatly enhance his merits; in the shallow judgment of the great mass, who are ever prone to be deluded by the surface of things, the very same circumstance has always, no question, produced the exactly contrary effect.

Why should we, merely because he makes wit and humour the vehicle

hide of his physic, refuse him either the design or the merit of healing? What right have we to turn an author, only because he speaks the truth jocosely and laughingly, into a *scurra*? Ought we not, for the same reason, to pronounce a like verdict on Horace, Juvenal, Chaucer, Rabelais, Cervantes, Swift, Sterne,—in a word, on all comic and satirical poets? For, that the charge brought against Lucian of having shown no less indifference and aversion to truth than to lies, is a groundless calumny, I certainly have no need to prove to any impartial reader of Lucian's writings. . . . *Non omnia possumus omnes*. Some are ordained to attack, others to defend, some to pull down, others to build up. Lucian unmasked the idols of erroneous opinion and deisidæmony, the false prophets and spurious philosophers, the Peregrines and the Alexanders: it was surely no trifling service he thus rendered to the world; with what justice could we condemn him for not rendering more? We should scarcely complain of those who employ gifts such as his for the mere purposes of entertainment. Lucian did much more than that. He instructed, while he entertained,—he avenged truth and nature on their most dangerous enemies,—he tore up by the roots the weeds that prevented the growth of wholesome plants,—he protected the docile understanding of the rising generation against the errors of their fathers,—he warned them of the snares, pitfalls, and dens of ambuscade that had proved fatal to those that went before them,—he directed them to the even paths of nature, whereon it is impossible to miss the universal object of sound common sense,—and we require of him still more?

‘For counteracting successfully the moral diseases of those times, it was precisely a man of Lucian’s temper and principles that was wanted.’

We have been mutilating a long but an admirable passage. We shall only add, that the story of Lucian’s having, at any period of his life, been a Christian, is disproved, among a thousand circumstances, by the severity with which he comments on Peregrinus’s connection with, and subsequent reviling of, the Christian community. That he had *some* knowledge of the contents of the Sacred Writings is certain; he alludes distinctly to the manna of the wilderness, and to the slow utterance of Moses, and we might multiply lesser instances; but his knowledge was obviously obtained at second or rather at third hand, scanty of the scantiest, and, it is almost needless to say, utterly confused and inaccurate. If he had thought the novel sect of any importance, he would have bestowed, at least, one separate tract upon it; and, so far from meriting the bitter vituperation of Suidas on this head, he does perfect justice, in his account of Peregrinus, to the simple and innocent manners of the community on whom that half crazy rogue had for a season imposed.

The satirist of Samosata was a mighty instrument in a cause, of the merits of which he understood nothing; and indeed we can scarcely hesitate to acquiesce in Dr. Mayne’s position, that, on the

whole, 'it may be doubted whether Christianity owes more to the grave confutations of Clemens Alexandrinus, Arnobius, and Justin Martyr, or to the facetious wit of Lucian.'

To enter at present upon any other parts of the vast subject which we have merely opened would be incompatible with our limits; there are twenty, each of which might be richly deserving of a separate discussion from abler hands than ours. But in the meantime we would hope that what we have said may stimulate the industry of some person possessing the accomplishments and the leisure which such a task demands; and we venture to suggest to Dr. Bruce, whose ingenious tract on the age of Homer, recently published at Belfast, has not as yet received the notice it merits, that an essay equally comprehensive in purpose, and not quite so condensed in style and execution, on *The Age of Lucian*, would be worthy of his utmost exertions, and in a high degree interesting, as well as instructive, to all readers whose favour an author of his acquirements is likely to covet.

ART. III.—*History of the Progress and Suppression of the Reformation in Italy, in the Sixteenth Century; including a Sketch of the History of the Reformation in the Grisons.*
By Thomas M'Crie, D.D. 8vo. Edinburgh. 1827.

IT has been often asked, with an air of triumph, by the Roman Catholics, where was the religion of Protestants before Luther? And it has been as often replied, in the Bible. But though this answer was enough, another might have been given, and one, perhaps, more to the purpose.

Differing, as we do, from Milner, in his Church History, on very many points, in this we concur with him—that from the time when Christianity was first planted, there has ever been in existence a body of men, obscure, perhaps, as the seven thousand in Israel, to whom the name of the True Church more especially belonged; and who, amidst the corruptions, the discouragements, and the dangers of a world with which they had but little in common, and which was not worthy of them, pursued their pure course in privacy.

It is not easy, indeed, to get with accuracy at the state of religious opinion, where it differed from the church of Rome, before the Reformation. Then it was that the strings of the tongue were thoroughly loosed, and many sentiments, which, though in being, had been nearly without witness, first found a free utterance. It has been the boast of that church, that for many previous centuries she was at union with herself, and that divisions

divisions and dissent were not known within her borders. The boast, like many others from the same quarter, requires qualification, as Bishop Jewel has abundantly proved; but allowing it to be founded in truth, what could be more natural, than that 'when the strong man, armed, kept the house, his goods should be at peace'?—and who has ever heard of Whigs, Tories, or Radicals in Turkey? Yet it would be contrary to all experience to believe that such a revolution in the world as Luther effected could have been wrought by one private individual, without the aid of powerful predisposing causes. It is not usual with men who are more than half a century in advance of their generation, to make any great and permanent change in its character—Luther happened to be the first to put the world into the waters, after the angel had sufficiently troubled them. But some hundred years before the reformer was born, (perhaps, in one instance, from the earliest ages of Christianity,) there had been communities of men to be found, in the south of France, in England, in the valleys of the Alps, in Calabria, in Bohemia, perhaps in Spain itself, who held doctrines essentially the same as those afterwards established at the Reformation, and by means of whom the heaven could not fail to be propagated in some degree throughout Europe: for it is a mistake to suppose that the familiar intercourse of nations is a thing of modern growth, and that turn-pike-roads and mail-coaches, canals and steam-boats, are the only methods by which we can bring together distant lands, *dissociabiles terras*. Commerce undoubtedly does great things in this way now, but so did it heretofore by other ways; and it may even be doubted whether the custom of resorting in person to the great fairs holden in various parts of Europe, lasting for eighteen or twenty days, and whilst they lasted giving to an unclosed waste the appearance of a populous and well-ordered city; it may be doubted, we say, whether these points of annual concourse did not bring together a much greater number of foreigners, (limited as trade then was,) than can be seen upon all the exchanges of a country at this day, when the safe and rapid transmission of letters, and the universal institution of banks, have rendered any closer communication among merchants for the most part unnecessary. Then the traffic in the wooden saint, in the rosaries that had hung about the neck of the famous Virgin of the spot, or in the girdles that had encircled her waist, (whoever has seen the stalls of a Roman catholic fair in our own times will well believe that such 'hallowed trinkets, which brought a benediction to the buyer,' would not be wanting,) might chance to be the occasion of some casual confession of faith in the parties who dealt or refused to deal, and thus might they, perhaps, teach and learn some scriptural

heresy,

heresy, whilst, like children, they were playing in the marketplace.

But whatever commerce might do to promote an intercourse amongst the different states of Europe, pilgrimage did more—the more distant the object of devotion, the greater was the merit in visiting it; and every country took care to be provided with a source of gain so simple and commodious.—Many were the bones left to whiten on their road to St. James of Compostello, or our Lady of Walsingham. The wife of Bath

‘Thries hadde ben at Jerusaleme,
She hadde passed many a strange streme,
At Rome she hadde ben, and at Boloine,
In Galice, at Saint James, and at Coloine.’

Indeed, so common appears to have been the practice amongst our own countrymen of visiting *Rome*, that the name of that holy city has, perhaps, furnished us with our most familiar term to express wandering to a distance. The Eternal City was long the political capital of the world, and was then frequented by the nations as the seat of arts, of arms, and of lucrative employment. She was now the religious capital of the world, and frequented, with perhaps equal zeal, as the seat of the true faith, and the fountain of ecclesiastical preferment. Like Jerusalem at the feasts, it was the resort of persons dwelling in every region under heaven, and a certain circulation of ideas was by this means established throughout the whole of Christendom. The spirit in which those religious rambles were undertaken, and the motley character of the pilgrims brought together, are well seen in the *Canterbury Tales*, or the humorous *Peregrinatio* of Erasmus; and all that curiosity could extract or loquaciousness impart, would not fail to come out by the way.

Nor was this all—under various pretences, the pope claimed a right to present to benefices even in countries beyond the Alps; and Italian priests, who would naturally maintain a correspondence with their friends at home, were everywhere to be found. The universities of note, again, collected students from distant lands. In the beginning of the sixteenth century, there were so many English at the university of Ferrara, as to form a distinct and influential body in that learned society. An interchange of professors, moreover, which was constantly taking place, contributed to expedite the communication of thought and knowledge amongst those classes of men who were precisely the best fitted to speculate, and to impart their speculations to others; and Latin, being then an universal language, both among scholars and diplomatists, removed at once the obstacle to intercourse, which must have arisen out of a difference in vernacular tongues,
by

by providing a medium common to all. Freemasons, again, were a kind of nomade tribe, who journeyed on, and, like the patriarchs of old, marked their resting-places by setting up noble altars to their God; their very occupation must have rendered them conversant with religious matters, and the suspicion with which they were soon regarded, and which, in a measure, has descended to our own times, may possibly have had its origin in some heretical opinions they might be supposed to entertain and propagate. John of Gaunt, who patronised Wickliffe, patronised them. Minstrels were ever upon the stroll from abbey to abbey and from hamlet to hamlet, retailing their own adventures, or the wonders they might have heard, to the monks and villagers, who, like the Athenians, and for the same reason, were always right glad 'to hear some new thing,' though it should be (as it often was in the case of the monks) to their own prejudice: and mendicants by profession, often, no doubt, assuming the cowl, as they now do the sailor's jacket, rambled over a country in the spirit of Autolycus, in numbers of which we may judge from the multitudes executed in our own land after the dissolution of the monasteries, when they betook themselves to plunder for their bread.

These were some of the channels through which, in former times, province communicated with province, and nation with nation; and how effectually, may be guessed even from the vocabulary of our own tongue. We have often thought that it would be a subject of curious and most interesting inquiry, to trace the history of England, political, religious, and domestic, in its *language*, and in its language *alone*. We are persuaded that it might be done, and that upon such an investigation it would be found that our intercourse with Italy has been far greater than our vulgar annals, or even our literature itself, would lead us to conclude. Though our literature bespeaks it to have been considerable, and especially in its more popular department of ballads, plays founded upon ballads, and gossips' stories, the substance of which must have circulated chiefly 'per ora virum,' from mouth to mouth; as now a favourite air creeps by degrees throughout Europe. The nature of that intercourse (the arts, the conveniences, the vices introduced by it) would be discovered in the class of Italian words we have naturalized. Independently of ecclesiastical and theological terms, (which would, of course, prevail,) from Italy we derive, in a great measure, our terms of war, of book-keeping, of cookery, of gambling, the names of some of our commonest sports and pastimes, (blind man's *buff*, for instance,) and very many of our strongest expressions of abuse, contempt, and abhorrence—these last the dregs, perhaps, of the *camp of the crusaders*.

Johnson

Johnson, who is least happy in the *etymological* department of his dictionary, has not kept Italy sufficiently in sight, and has, consequently, sometimes embarrassed himself, (as in his miserable exposition of the word ‘rubbish,’) where an attention to this principle would have set him at ease. But we must hold our hand from a seductive subject, which we have been led incidentally to touch upon, whilst we have been endeavouring to show the communication which in ancient times subsisted between remote countries, and the facility with which opinions might be spread, and knowledge conveyed, throughout the civilized world.

Thus it was, we apprehend, that many of those religious truths, which the Reformation brought out, had been already dispersed, with more or less local success, over a great part of catholic Europe; and that Luther’s province was, not to call into existence the spirit which shook the popedom to its foundations, but to call it into action.

Wickliffe, indeed, has been usually allowed to have been the forerunner of Huss, and Huss of Luther; but even Wickliffe seems to have been but the avowed representative of a very large portion of his countrymen, and the organ by which they spoke sentiments hitherto suppressed through dread of consequences. He neither believed in the supremacy of the pope, nor in transubstantiation, nor in the right of the clergy to monopolise the scriptures; yet so far were his doctrines from being offensive to the people, that when he was brought before the bishops, at Lambeth, they clamoured for his release—so far were his tenets from being unpopular, that persons holding them travelled from county to county, preaching them, not only in churches and churchyards, but in markets and fairs, ‘to the great emblemishing (as it was said) of the Christian faith.’ Knyghton, a contemporary historian, does not scruple to say, ‘that you could not meet two people in the way, but one of them was a disciple of Wickliffe;’ and Wickliffe himself asserts that the third part of the clergy thought with him on the Lord’s Supper, and would ‘defende that doctrine on paine of theyr lyfe.’ Nor will this be matter of surprise, when it is recollected that some centuries before Wickliffe’s translation of the New Testament, Saxon versions of portions of the Gospels at least had been made, ‘for the edification,’ as it is expressly said, ‘of the simple, who know only this speech.’ Spirits congenial to Wickliffe were already in Bohemia, where the effect of his writings was acknowledged by the severity with which they were suppressed. The Albigenses had been denounced by canons, *preached at by St. Bernard*, and tortured by St. Dominic, so early

as the twelfth century. About the same period Peter Waldo lifted up his voice at Lyons, with a success that called forth the anathema of the pope;—and the valleys of the Alps were peopled, from an age the most remote, with a race of hardy mountaineers, whose seclusion had preserved their faith from corruption, and whose protestant tenets are the subject of authentic record to this day. It is the testimony of an enemy (Raynerius) and, therefore, above suspicion, that they did not believe in modern miracles, rejected extreme unction and offerings for the dead, denied the doctrines of transubstantiation, purgatory, and the invocation of saints, and, to sum up all, regarded the church of Rome as the woman of the Revelations. It is true, that he mixes up these accusations of heresy with heavy charges against their morals; but this has ever been the artifice both of pagans and of catholics, to crush a rising sect. In the present instance, nothing is wanted to expose the futility of such charges, but to compare them with those of others no less hostile (as the learned Usher has done,) when it will be found that ‘their testimony agreeth not together.’ On the other hand, the more friendly voice of La Nobla Leyçon, a Waldensian document written about the year 1100, and the authority of which has never been questioned, enforces the law of the ten commandments, that against idols not excepted—the duty of searching the scriptures—as also of praying to the Trinity, though without a word in favour of the invocation of saints or the Virgin, and represents confession and absolution as unavailing, the power of forgiving sins, though claimed by the priest, belonging to God alone. With the history of this heroic band of brothers the public has, of late, been made familiar; but whilst the sufferings and the constancy of the original stock of the Vaudois have claimed and received the sympathy of every man who has a heart, the fate of a colony, which it sent forth to seek its fortunes in the south of Italy, has been unworthily overlooked:—

‘In the year 1370,’ writes the learned and able author now before us, ‘the Vaudois, who resided in the valleys of Pragela, finding themselves straitened in their territories, sent some of their number into Italy, to look out for a convenient settlement. Having discovered in Calabria a district uncultivated and thinly peopled, the deputies bargained with the proprietors of the soil, in consequence of which a number of their brethren emigrated thither. Within a short time, the place assumed a new appearance: villages rose in every direction; the hills resounded with the bleating of flocks; and the valleys were covered with corn and vines. The prosperity of the new settlers excited the envy of the neighbouring villagers, who were irritated at the distance which they preserved, and at their refusal to join with them in their revels and dissipation. The priests finding
that

that they received nothing from them but their tithes, which they paid regularly, according to the stipulation entered into with the proprietors; and perceiving that they practised none of the ceremonies usual at the interring of their dead, that they had no images in their chapels, did not go in pilgrimage to consecrated places, and had their children educated by foreign teachers, whom they held in great honour, began to raise the cry of heresy against the simple and inoffensive strangers. But the landlords, gratified to see their grounds so highly improved, and to receive large rents for what had formerly yielded them nothing, interposed in behalf of their tenants; and the priests, finding the value of their tithes yearly increse, resolved, prudently, to keep silence. The colony received accessions to its numbers by the arrival of their brethren, who fled from the persecutions raised against them in Piedmont and France; it continued to flourish when the reformation dawned on Italy; and, after subsisting for nearly two centuries, it was basely and barbarously exterminated.'—p. 4.

Thus do we find, that at either extremity of Italy itself, (to say nothing of other heretical countries, which were in constant communication with Italy,) bodies of men were living depositories of the true faith, more or less complete, during a period which, as the Roman catholic church would persuade us, exhibited universal concurrence in her doctrines and submission to her decrees.

Meanwhile, in spite of the jealousy with which the clergy endeavoured to keep exclusive possession of the scriptures, several translations into the Italian, ill done indeed, but still indicating the latent spirit, whose workings we are examining, made their appearance in the fourteenth century, if not earlier; while that of Malermi, a monk of Camaldovi, was printed at Venice in 1471, and is said to have gone through no less than nine editions in the ensuing thirty years. Indeed, the establishment and continuance of the Inquisition, a contrivance expressly for the extinction of freedom of opinion in matters of faith, is of itself a most distinct acknowledgment, on the part of the Roman catholic church, how early there existed a formidable opposition to her dogmas; and, accordingly, when that opposition developed itself more fully after the preaching of Luther, those sanguinary tribunals were proportionally multiplied, as the legitimate and approved extinguishers of heresy.

The limits of a review will not allow us to enter into details necessary to do justice to this part of our subject; sufficient, however, has been said to show, that long before the era of the reformation, commonly so called, many of the sentiments of the reformers were cherished in several places to our certain knowledge, and, probably, in still more, where the tyranny of the times has left us in ignorance of them. Dante, undoubtedly, was not speaking at random, in his assertion, (and it is worthy of
attention,

attention, if it were only for its very early date,) that the burning sepulchres of his heretics were far more abundantly stocked with victims than was commonly supposed :—

‘ Quì son gli eresiarche
Co’ lor seguaci d’ ogni setta, e mollo
Più, che non credi, son le tombe carche.’—*Infern.* ix.

Thus were the doctrines ‘ which they call heresy,’ ready at all times, as it were, to be slipped from the couples, and to supplant the superstitions and idolatries of the papal system, whenever, by any intrepid assailant and propitious crisis, that system could be overthrown.

It is probable, however, that it would have been long before the mere force of truth could have prevailed against a fabric constructed with the worldly wisdom of the Roman catholic church; but it was cankered at heart, and its corruptions cried aloud to heaven. Here was the secret of its weakness—the lives of the clergy, both regular and secular, were disgusting multitudes, and preparing mankind to hail the day when they should be exposed and put to shame. In a history of the progress of the reformation, whether in Italy or elsewhere, the feelings of disaffection to the established forms of worship, which the sight of gross abuses occasioned, ought not to be passed over. Dr. M’Crie might have added to the interest, and indeed to the value of his volume, by more ample reference to the poets and novelists of Italy, who lived during those ages in which the papacy was filling up the measure of its iniquities. We single out this class of authors, because they afford a fair sample of the state of public opinion in the times when they lived; and because their own incidental reflections on the condition of religion and its professors, ought to have that weight which belongs to undesigned and unobtruded testimony. Of the novelists we shall not stay to say more, than that, in general, those innocent fairy tales in which they abound, and many of which our nurses still teach us, are usually made to relate to some lucky peasant or luckless prince, whilst any discreditable adventure is as sure to be saddled upon a priest or a nun. The poets will engage more of our attention, and are better worth it.

Of Dante’s hostility to the church of Rome, we had recently occasion to say something in our review of Mr. Todd’s edition of Milton. His feelings, however, towards it were perfectly distinct from those of the parties with whom we have been hitherto dealing. These latter denounced the *doctrines* of the church; the poet embraced its doctrines, but execrated their *abuse*.

Signor Rosetti, indeed, in a most elaborate, learned, and ingenious commentary on the *Inferno*, recently published, pro-

nounces

nounces the Divina Commedia to have nothing to do with theology; that it is a purely political poem; that it attacks the pope as the head of the Guelphic party, without any reference to his spiritual character; that it is, in short, a covert enterprise of the Ghibellin against the Guelph; and that its language is a kind of freemason's phraseology, only to be understood by the initiated. Thus *amor*, for instance, stands for *Roma*, by inversion; or, if it be written *amore*, then it stands for *amo-re*, by division; and in these senses combined, it implies, that the Ghibellin loved a king for *Rome*, or, in other words, thought that Italy would prosper best under the single sceptre of the emperor;—*Donna*, or *Madonna*, is the power of the emperor;—*salute* is the emperor himself, for, like the Marquis of Carabas, the emperor is here and there and everywhere;—*I morté* are the Guelphs; *I vivi* are the Ghibellins, &c. With these keys, and some others of the same sort, Signor Rosetti unlocks all the mysteries of Dante for a considerable time—till at length it pleases the poet, for some reason or another, to lay aside these symbols and adopt a fresh set, which are discovered, however, by the commentator with the same sagacity as before, and the treasure-house is opened with the same success as before. Nor is this all: other secrets are to be got at by piecing syllables together which are scattered throughout a whole line, or even half a dozen lines, when up starts a Ghibellin, or your old friend the emperor—like harlequin, whose limbs being collected from different quarters of the stage, combine at once into a perfect and living man. For example, that glorious passage in the ninth canto, descriptive of the approach of the angel to the city of Dis, of which we spoke in the article already alluded to, wraps up the emperor in a way which certainly might have escaped an ordinary reader;—*non altrimenti è fatto che d'un vento impetuoso per gli avversi ardori Che fier la selva; e senz alcun rattento, &c.*, where it will be perceived by the letters in italics, that the emperor *Enrico* is very intelligibly expressed.

Now, supposing this scheme to be as sound as we are afraid it is visionary, we should think it a misfortune to be thoroughly versed in it. In our eyes, it would be the utter ruin of Dante as a poet, and sundry curious conundrums would be all that we should get in exchange for those noble bursts of inspiration which we had found in him, or thought we had found in him, in the days of our happier ignorance of these rabbinical expositions. Besides, to us it is an offensive idea, that the sublime scenes of an invisible world of souls, a hell, a purgatory, and a paradise, should, after all, be only parables relating to a factious squabble in Italy. This seems to us to be reversing the order of things grievously, and making the thing typified of ten-fold less consequence than the type. Who, for instance, (to advert once again to the passage

in the ninth canto,) would not rather believe that the city of Dis meant the city of Dis than the city of Florence? That the heretics it contained were really heretics than Guelphs? That the angel who descended to open the gates which were shut against Dante and Virgil, was actually a messenger of God, empowered with his wand to smite the portals, and make a way into that infernal town, than that it was the Emperour Henry, with his sceptre, demanding admission for the Ghibellins into Florence? We do not dispute the ingenuity of Signor Rosetti; we are only contending that it is misapplied; indeed, when this, his favourite theory, does not cross his path, his commentary is excellent, keeping close to the text, completing the ellipses, and leading his reader by the hand, step by step, through the rough places of his difficult author, with an admirable knowledge of the road. For the reasons, therefore, which we have given, we shall continue to regard Dante more as the theologian than the politician, and proceed, as we were about to do before this digression, to say a word or two on the view he took of his church.

Its doctrines, we repeat, he allowed, and only exclaimed against their perversion. For the accommodation of heretics in another world, he provides, like a good son of his intolerant mother, sepulchres glowing with fervent heat, and no suspicion seems to cross his mind that they were thus out of their proper element. A purgatory, he admits, and stations at its gate an angel duly armed with his keys and commission from St. Peter: yet he tells us that the apostle had cautioned him against opening too freely, and admitting a herd of miscreants who would trample him to death, (Purg. xi.) He believes it to be the duty of those who are alive, to pray for the souls that are therein, and he represents them, in their turn, making supplication for their friends on earth (Purg. xi.); but he adds, in direct opposition to all excessive merchandise of souls, that purgatory did, in fact, receive very few—that its doors creaked on their hinges for want of use, and that mankind, in general, rushed headlong, and at once to the bottomless pit, (Purg. x.) Priestly absolution he does not dispute, yet he reckons it profitless without repentance; and a luckless friar, who had sinned at the pope's suggestion, and upon the faith of his promise that he would open heaven for him notwithstanding, finds himself, to his surprise, amongst the damned, (Infern. xxvii.) He condemns to a joyless abode, among the spirits in prison (as his church taught him) all who had died without baptism, however innocent their lives, (Infern. iv.) He constantly addresses the Virgin in language of the most chivalrous devotion, and sometimes with the most touching tenderness, (Purg. xx.) He kindles at the thought of a crusade, and bitterly reproaches the pope and cardinals with
brooding

brooding over their gains; whilst Nazareth, 'where Gabriel spread his angel wings,' was left a prey to the infidels, (Par. ix.) He had no wish to interfere with the rights of the clergy as ministers of God, and gratuitously selects as a subject for sculpture, the death of Uzzah, when he stretched forth an unconsecrated hand to bear up the ark, (Purg. x.) But the union of secular and ecclesiastical dominion he holds in abomination; this he would tear asunder; to this he imputes the spiritual downfall of the church (Purg. xxvi.); and pouring out upon its consequent corruptions the fiercest vials of his wrath, he denounces it as the destroyer of his country, (Purg. x.) the beast, (xvi.) the harlot, (xxxii.) He peoples his hell with its ministers, plaguing them with divers plagues; and they dash against each other huge stones in disorderly conflict; and they stand on their heads in burning jars; and are closed up in regions of thick-ribbed ice; and make their moan from the summits of pyramids of flame in which they are enveloped; and are crushed under excessive weights; and are torn by the forks of vindictive fiends, when they venture to peep out of the boiling pitch wherein is their everlasting portion.

Dante would have rejoiced to see his church efficient and prosperous. To its radical errors in faith he was not alive, for he was a reader and admirer of Thomas Aquinas, (Par. x. et seq.) and was evidently better versed in the historical and picturesque parts of the scriptures, than in the doctrinal; but that there was something in it grievously wrong he was fully aware, and so was Petrarch who succeeded him.

Petrarch, like Dante, was a good catholic; he had no desire to quarrel with the established creed; he was himself a churchman; he had a priest in his house, and built a chapel to the Virgin, at Arquà; but his own powerful language almost sinks under the indignation he feels, at the abominations which had polluted the sanctuary. He calls down fire from heaven upon his church, as the mother of all the wickedness which was abroad in the world, (Son. 194.) Bacchus and Venus are its gods, (195.) Beelzebub sits in the midst of its bishops, blowing up with his bellows the flames of their lusts, (194.) In an old edition of the Sonnets of Petrarch, which lies before us, these to which we have referred, and others like to them, have been carefully effaced by the hand of some former owner, whose manes we have no intention to disturb, whilst we offer to our readers the following translation of the hundred and ninety-sixth:—

'Thou fruitful spring of woe! thou hapless home
Where heaven's displeasure finds its place of rest!
Temple of heresy! foul error's nest!
Thou impious Babylon, once hallowed Rome!

Forge

Forge of all fraud ! dread prison-house and tomb
Of virtue thou, while vice thou fosterest !
'Tis strange, O hell, by living fiends possessed,
If Christ, at length, decree thee not thy doom !
For at thy birth thou lowly wast and chaste,
Now at thy parents dost thou lift the horn,
A shameless harlot ! Where then hast thou placed
Thy hope ? In chamberings and in wealth ill-born ?
Take, Constantine, take back thy gift, or haste
And purge thy world, O God ! o'er which we mourn.'

The spirit which spake in these men (and in Petrarch it spake yet more vehemently, if possible, in his letters than in his poetry) was preparing the way for the reformers ; and an abhorrence of the abuses of a system, was the natural forerunner of an inquiry into the cause of those abuses, and a suggestion of the remedy.

The corruption, however, continued unabated, and the effect it now began to produce was no longer a feeling of indignation,—*that* had died away,—but a feeling of levity and heartless unbelief : religion itself seemed ready to founder under the insupportable weight of the vices of its professors. Now an air of jesting and licentious badinage, upon subjects the most sacred, was gone forth, and we look in vain for the earnestness of a former age, which, amidst all its errors, could not behold with patience the prostitution of a blessing it knew how to value, and loathed the wickedness of men who could find in their hearts to poison the fountains of living waters.

It was now the fashion to ascribe to Turpin, an archbishop, (a fictitious one to be sure,) whatever monstrous and incredible lies a romancer might invent, and to appeal with mock gravity to the authority of such a character for their truth. The addresses to the deity or saint, with which the cantos of the *Morgante Maggiore* begin, seem often to breathe sincerity, and even devotion ; yet it is very difficult to reconcile the frequent burlesque application of the language, the imagery, and even the doctrines of the scriptures, in which this poem abounds, with a belief in their authority. Pulci, perhaps, was not after all an infidel professed, as the French (who never lose one for want of claiming him) would persuade us ; but he was one of thousands, both clergy (to whom he belonged) and laity, whose motto still was '*vive la bagatelle*,' and who went thoughtlessly dancing to the grave of their faith like flies to a candle. The same spirit manifests itself in the poets that followed him,—a spirit of ill-timed levity on the gravest subjects. We do not deny that passages might be produced both from Ariosto and Berni, which, taken by themselves, would seem to show that they were Christians and even Roman catholic Christians ; but still they are perpetually

petually laughing in their sleeve. If they affect to look serious, they succeed, like Cicero's augurs, when they met in the street. If a thought of religion comes across them, it is sure to be associated with Friar Tuck. They feel no loyalty (how should they ?) towards the system by which such men earned their bread, and without heeding what distant consequences might result from their sportive sallies, they amuse themselves at the expense both of clergy and creed, and let the world pass. They forwarded, however, the reformation, without meaning it. They might say with the boy, who threw a stone at a dog and hit his step-mother, that, though it was intended otherwise, it was not quite lost. Such passages as the following must have operated like one of Luther's caricatures. Astolfo climbs to the moon, and, amongst other odd furniture which had escaped to that planet from the earth,

'Of soups all spilt an ocean he espies,
And of his doctor asks the interpretation ;
'Tis alms, quoth he, which when the good man dies,
He leaves behind him for his soul's salvation :
A mount of flowers he sees, of stately size,
Once sweet, but now a vile abomination ;
This is the gift (with reverence be it said)
That Constantine to good Silvester made.'—

Orland. Fur. xxxiv. 80.

Again, the angel Michael is represented by Ariosto, as having received orders to look for Silence, and to lead him to the assistance of some recruits, who were on their march to join the Christian army at Paris ; but were anxious that the enemy should have no intelligence of their approach. When he had executed this commission, he was to find Discord, and turn her loose amongst the pagan troops, to waste and divide their strength :—

'Now Michael, pondering where to go in quest
Of Silence, came to this determination,
That to search church and abbey would be best,
Where friars lead a life of contemplation,
And to be speechless is a vow professed—
So, where these good men meet in congregation ;
Where sleep ; and where they make their frugal cheer ;
In short, where not ?—is writ up, " Silence here."

'Trusting to find him thus, away he hied,
And waved impatiently his wings of gold ;
Nor thought he less, that here too at his side,
Rest, Charity, and Peace, he might behold :
But all his hopes he quickly found belied,
When, as he reached the cloister, he was told,
No more does Silence this abode delight in,
Nor tarry here at all, except in writing.

'Nor

‘ Nor Pity, no nor Peace can he descry,
Nor Love, nor Rest, nor Meekness, all are fled—
Time was they dwelt here, but ’tis long gone by,
Pride, Hate, Sloth, Lust, Rage, Avarice, in their stead,
Have made it their resort. The angel’s eye
Looked on the novel sights, and wondered—
Then passed the hideous legion in review,
And, lo! perceived amongst them Discord too.

‘ Now, touching Discord, it was heaven’s command,
That Silence found, he search for her as well;
So Michael had most naturally planned
To seek her, where he thought she lived—in hell.
Who would have guessed, that in this hell at hand,
Mid mass and matins, she should choose to dwell?
Doubtless to him extremely odd it seemed,
To find her so much nearer than he deemed.’

Orland. Fur. xxiv. 79.

Some time after, it appeared that this malicious lady had deserted the task assigned her, so that the angel had to fetch her back. Accordingly, another opportunity is afforded the poet of a fling at the monks, of which he does not fail to avail himself:—

‘ Down to the abbey Michael winged his way,
Where Discord might be, such was his reflection,
And found her in the chapter-house that day,
Presiding at an officer’s election.
High mirth she took in witnessing the fray,
For breviaries flew in each direction;
But Michael of her hair seized tight possession,
And gave her kicks and buffets at discretion.’

Orland. Fur. xxvii 37.

Berni treats the regular clergy with as little ceremony as Ariosto. Banter is the weapon which he also generally uses, and with nearly as great effect. Now and then, however, he is serious and severe:—

‘ Another tale my verse must now express,
Suffice it for my twentieth canto’s theme;
Whereby perchance a man may shrewdly guess
That all are not such saints as they would seem;
And though grey, purple, damask be their dress,
Nor without glove to touch a coin they dream,
And stoop with visage pale and downcast eyes,
’Tis doubtful if they go to Paradise:—

‘ Nay! though with crucifix in hand they pace,
Alone, in sackcloth, humbled to the dust,
And though the rochet they most tightly lace,
And look like sausages expertly trussed;

And

And though as fed on horsebeans frowns their face,
 And though their unctious, unshorn beards disgust,
 And though they seek caves, grottoes, rocks, and holes,
 As crawl-fish, rabbits, hedge-hogs do, and moles.

‘Let holiness in holy life begin,
 Not in the saintly tongue or face or weeds :
 Weep ye a brother’s wrong, a brother’s sin,
 Be peaceful, courteous, merciful your deeds.
 Scorn, by dissembling, praise of man to win :
 No mask the single-hearted Christian needs ;
 But through the door he enters brave and bold,
 Nor, like some sly thief, skulks into the fold—

‘These are the sinful generation, these,
 Of whom God’s fiercest hatred is the lot—
 All errors else his eye with pity sees,
 Beholding them, his anger waxeth hot.
 Wretches ! ye glow without, within ye freeze !
 Ye whited tombs ! while bones beneath ye rot !
 Away with trimming thus the outward part,
 Inward direct your looks, and cleanse the heart.’

Orland. Innamor. b. i. c. xx. § 1.

We do not scruple to bring forward Ariosto and Berni, as witnesses of the temper which was abroad before Luther. Both died before him, the one ten, the other thirteen years; but so familiar had the times long been with writings of this kind, and so little danger was apprehended from them, that they were licensed, read, and even encouraged by pope and prelate, whilst they were uncovering their nakedness before Italy and Europe.

Even Erasmus himself does not appear to have been aware of the effect his *Colloquies* would have upon the temporal interests of the church. That admirable scholar delighted in exercising a talent for humour, which he possessed above any man of his time; and the monks and friars chanced to furnish him, as they did the poets of Italy, with excellent materials on which to employ it. This circumstance, probably, in some measure decided him in the choice of his subject: for Erasmus was too timid—too fond of literary ease—too ambitious of the favour of the great—too undecided in his own notions, both as to the doctrines and government of the church, to embark with spirit in such a sea of troubles as the reformation. Accordingly, like a faint-hearted recruit, he shuts his eyes when he pulls the trigger, and recoils from the report of his own piece. Indeed, when we now look back, and calmly consider the many sad presages, which for generations had been warning the church of its danger, nothing seems more remarkable than its apparent security and unconcern. Even the clergy themselves, some as poets, and more as novelists, ventured

ventured to act the part of ill birds, as if nothing was further from their thoughts than the evil that was in store for them. The fact, however, seems to have been, that before the discovery of the art of printing, manuscripts were chiefly in possession of the monks, who bought them up with avidity, and purposely stood in the way of all private purchasers. Whatever exposures, therefore, these manuscripts might make, were looked upon as *esoteric* doctrines, which might serve to enliven the listless seclusion of the cloister. And even after this noble invention had been perfected, it was some time before the world (or which was the same thing, the church) was aware of its powers. It was like the acquisition of a new sense—its functions were to be learned by experiment alone—their nature and wonderful extent could not be conjectured with any certainty. The pope, who had so long governed with despotic authority all the springs of human action, might have well supposed that such an engine as the press would not be beyond his control; there was now, indeed, no chance of letters becoming the private property of the priests, like the hieroglyphics of Egypt, but he might still flatter himself that types would be innocently employed in giving more ample circulation to his bulls, and propagating the gainful impostures of his office. Certain it is, that, even after the press had been laid under restrictions, works, the most adverse to the church in her then condition, were sanctioned, not from indifference to her present interests, not from ignorance of the contents of such publications, but simply because safety long enjoyed had begot a notion that there could be no danger, and authority long undisputed the flattering dream that it was indisputable.

But, in truth, the vitals of religion, vigilance and earnestness about it, were gone. The religious world was a stage, and men and women merely players. If God was to be praised, it was not to be done with the heart, but with the very best organs and choristers that could be got together for love or money. The robe of righteousness might not be put on; but if lace, brocade, embroidery could be of any service, there they were at heaven's command. The prayers which were said might not be a very sweet-smelling savour, but then there was the choicest incense from Arabia to make up for it. The light within was not so bright as might be wished, but if candles could do any good, candles were abundant. The soul was not literally humbled with fasting, but the body undertook to dine upon ten or a dozen sorts of choice fish, with soups, vegetables, and fruits, dressed after the most cunning fashion, and what in reason could be required more? Nay, when the crisis was at hand, when the rams'-horns had already sounded round the city walls to tell them they should

fall, we find the pope of the day expressing his admiration of the 'fine genius of brother Martin,' as though he judged him by himself to be a mere religious adventurer endeavouring to make a fortune by his wits—we see him disencumbering himself of his robes, with the prayer, perhaps, (none was more likely,) that for a season, at least, 'heaven would send him no need of them'—striding in his leathern boots through the Ostian woods after wild boars, and returning to meet a company of buffoons at his table, and laughing at the dexterity with which they defended and impugned the soul's immortality. In short, it was the fashion of the day to do the work of God after the zealous manner of that patriarch of Constantinople, of whom Jeremy Taylor reminds us, 'who ran from the altar in St. Sophia to his stable, in all his pontificals, and in the midst of his office, to see a colt newly fallen from his beloved and much-valued mare Phorbante.'

It was in the midst of this scene of lukewarmness and self-indulgence, even whilst the clergy were eating and drinking, (not indeed, marrying and giving in marriage,—it would have been better for them if they had,) that Luther arose, like an Ajax Mastigophoros among the sheep.

Luther must, under any circumstances, have made a noise in the world; but had the church been wise enough to reform her practice in time, it is probable that her mere errors in faith, gross as we now think them, and as he very soon learned to think them himself, would not have provoked his scrutiny; that his zeal, like that of many other good men before him, would have found a vent in establishing a new order; and that St. Martin by this time might have figured in the Roman catholic calendar, by the side of St. Benedict, or St. Francis. It is evident that the doctrine of the church, which we are accustomed to reckon the most repugnant to common sense, would have been no stumbling-block in his way (for he who could teach the doctrine of consubstantiation was not the man to be shocked by the doctrine of transubstantiation); and if not this doctrine, why should any other be thought likely to have opened his eyes? The great and leading doctrine, indeed, of the Reformation, both in Germany and England, justification by faith alone, appears to have been lurking in Luther's mind some years before he gave it utterance: and no doubt this principle once established, might, in the end, have undermined his allegiance to a church of which the very foundations were laid in the opposite doctrine of merit: still this was not the rock upon which his submission to the pope first split. Milner (whose history of Luther is an admirable corrective to the unworthy insinuations and philosophical indifference of Hume on the

the same subject) is evidently disposed to think otherwise; but some allowance must be made, on the one hand, for the theological views of the church historian; and, on the other, the scandals which Luther had witnessed in a visit to Rome, and the shameless sale of indulgences, which had troubled him in Germany, may be thought enough to account for the beginning of that new light which, by degrees, broke upon him. The necessity of a reform, indeed, had been admitted, and the council of Pisa had been recently called for the express purpose of examining into ecclesiastical abuses. But the examination was not undertaken and pursued in an honest and good heart, otherwise it is possible the church of Rome might have continued unscathed for some years longer, at least till a better knowledge of the scriptures should have exposed (as it always must) its unsoundness and error. For it is not to be disputed that much there was in it to attach its members, and engage their best sympathies in its behalf. Evil as the system was, it was far from a system of unmixed evil. Many of its incentives to devotion were admirably contrived to answer their end; and some, which were congenial to the habits and feelings of the people, have (unfortunately, we think) in our own land been suffered to expire. They survived the shock of the reformation itself, but could not struggle through the fury of the fanatics, who hated all that had been popish; and still less through the profligacy of the succeeding generation, who laughed to scorn all that was godly. We confess that we look back with some pleasure, though not without drawing some mortifying comparisons, on those good old usages of our fathers, which were in existence almost a century after the times of popery, when they wrote upon windows and doors some appropriate text, and made even the furniture of their houses to speak parables; when they ushered in the candles at night, with ‘God send us light from heaven;’ when they bestowed a father’s blessing on their children, as they knelt before them ere they retired to rest; when they walked their parish boundaries, giving thanks for the harvest, relieving the needy, reconciling the contentious; when the parson blessed aloud those whom he met, or overtook, by the way; when the church-doors stood open most of the day, and the ploughman, as he heard the sound of the saint’s bell, left for a moment his ‘laboured ox,’ that he might join his prayers with those of a Herbert, and beg the favour of heaven on the works of his hands. But this age of simplicity is gone by, and a new order of things has arisen in its stead. Perhaps even what we have written will be read with a supercilious smile at the darkness of men, who, in the nineteenth century, are not convinced that England is becoming more happy or more moral by

the conversion of her peasantry into *operatives*, and of her fields into one huge workshop ; of men, who have the weakness to confess their fears, that amidst the tumult of engines that cannot stop, and fires that must be fed, and mines that must be worked, and boats that must be navigated, and goods shipped, and letters written, and the eternal clatter of wheels, and looms, and sledge-hammers, ' the still small voice ' may run a risk of being unheeded. But we beg pardon, and proceed. The Council of Pisa was rendered abortive by the intrigues of the pope, and instead of strengthening the church, only served to supply Luther with an additional argument, that, by its own confession, it was full of abuse. The critical opportunity of self-correction was thus lost, and at last the sound of a reformation indeed, wherein the pleasure of the pontiff was no longer to be consulted, reached the Vatican.

Now was the power of the press, for the first time, made known. Heretical pamphlets, catechisms, ballads, and caricatures, broke loose in a body. Now were to be seen on tavern walls foxes preaching in full canonicals, with the neck of a goose peeping out of a pocket ; wolves in sheeps' clothing confessing and granting absolution ; monkeys, in the habit of Franciscans, sitting beside a sick man's bed, with one hand on a crucifix and the other in his fob. It was a war without quarter. A medicine which, if well-timed, may cure, given out of season, may kill. The queasy stomach of the Roman catholic church had kicked at a council which might have done it good, but now cries out in a panic for another which has disagreed with it. Before the council of Trent nothing could be more hopeless than to argue with a Romanist. It was impossible to drive him to a corner ; he was the ghost in Hamlet. Urge him with the decrees of assemblies of his church—one was not convened lawfully ; another did not proceed *conciliariter* ; a third was not general ; a fourth was not *approbatum* ; a fifth was *reprobatum* ; a sixth was partly *approbatum*, partly *reprobatum*. Thus, at the moment when the antagonist counted the victory his own, and was stooping to bind his prostrate foe, he saw him again escape from his hands and vanish into thin air. This state of things some of the wisest heads of the church of Rome thought it impolitic to meddle with, and lamented the steps taken at the council of Trent to define and determine her doctrines. Much that was before indifferent was now enjoined by authority, and many were driven to secede who could not assent, and were not permitted to be neutral. But a more important advantage accrued to the protestants, from an authentic declaration of Roman catholic faith (as far as it goes) *being hereby put into their hands. They had hitherto been fighting*

ing with a shadow; the creed of Pius IV. gave them something more substantial with which to grapple. Doubtless it still left abundant room for evasion; but accommodating as it is, arguments may be built upon it which cannot but embarrass its defenders; and the scrupulous care with which the church of Rome (though constantly provoked to close) has abstained from calling another general council, which might put forth a yet more distinct and specific exposition of her tenets, proves that she has felt the inconvenience of former restrictions. The council of Trent was probably the last of its kind, extorted by a belief that the times admitted of no less desperate remedy. The instructions which it sent forth to the parochial clergy in the form of a catechism (*Catechismus ad Parochos*), give ample token of the alarm which the church of Rome now felt. The most feverish anxiety for the dignity and authority of the priest may be perceived throughout, and texts are distorted for his praise and glory with a most ludicrous ingenuity. The silver shrines are in danger, and there is evidently no small stir among the craftsmen. As it is a document which is allowed by Mr. Butler himself still to speak the sense of his church, we will give our readers a few of its practical applications of scripture. The gospels for the day are to be made profitable to the edification of the people, as follows:— ‘You shall find an ass’s colt tied, loose it,’ &c. &c. Here the priest may remark, that the right of granting *absolution* may thus be collected to have been conferred upon the clergy, the successors of the apostles; the laity, we presume, by parity of reasoning, being the successors of the ass. The same doctrine is to be derived from the words ‘*Loose him and let him go*,’ which our Lord uttered when Lazarus came forth bound with grave-clothes. That the words were addressed to the disciples in particular does not appear indeed from the Evangelist; but the catechism says they were, knowing it probably from tradition. ‘Send her away, for she crieth after us,’ furnishes an argument that intercession is made for us by the saints. ‘Jesus was casting out a devil, and it was *dumb*,’ who does not here discover the doctrine of confession? ‘The devil prevents the sinner from confessing to the priest, and can only be ejected when the tongue is set free. ‘Whence shall we buy *bread*, that these may eat?’ The bread *alone*, therefore, had the property of quenching *thirst*, as well as appeasing hunger; hence the propriety of communion in one kind only for the laity. ‘And He went into a ship that was *Peter’s*.’ Here our Lord signifies that Peter was to be the head of the church; or, as old Latimer has it in one of his sermons, He says in effect, ‘Peter, I do mean this by sitting in thy boat, that thou shalt go to Rome, and be Bishop there, five-and-twenty

years

years after mine ascension, and all thy successors shall be rulers of the universal church after thee.' 'And there came down a certain priest that way.' This is a text which requires some delicacy in the handling, seeing that the priest does not figure to any advantage in the history. The man that fell among thieves, however, is human nature; sin inflicted the wounds; our Lord is the Samaritan; and when he gives twopence to *the host*, he teaches that the care of the church is to be committed to a single individual! According to the interpretation of the same catechism, the fifth commandment, 'Honour thy father and thy mother,' &c. implies, amongst other things, that children are bound to provide their parents with confessors before they die, to bury them with handsome obsequies, and to establish annual masses for their souls; and lest the congregation should be at a loss to know why there are seven sacraments, neither more nor less, it instructs their pastor to explain, that natural religion points to this number;—that man, as a *social* being, has need of seven things: 1. to be born; 2. to grow up; 3. to be sustained; 4. to be recovered from sickness; 5. to be recruited in strength; 6. to be subject to government; 7. to propagate his kind:—that, therefore, as a *spiritual* being, he has also need of the seven anti-types, namely, 1. Baptism; 2. Confirmation; 3. The Eucharist; 4. Penance; 5. Extreme unction; 6. Orders; 7. Marriage. Finally, as if further to exalt the dignity of his office, the priest is to communicate to his flock many of the more secret counsels of heaven, which are hidden from the vulgar; that at the resurrection, for instance, our bodies will be disfigured by no deformity; that they will be neither too fat nor too lean; that the wounds of the martyrs will then emit rays of light, exceeding in brightness gold and precious stones. He is to exhort them to confess not only the sin, but the circumstances which attended it, and by which it might be aggravated; as, for instance, in the case of murder, whether it was committed upon a layman or an *ecclesiastic*. Moreover, he is to teach that Christ and the priest are the same, the latter when he consecrates the elements, saying, this is *my* body, not this is the body of Christ; and that no common reverence is due to a man who can 'produce and present the body and blood of our Lord,' and who hath power on earth 'to forgive sins;' a faculty, it is added, passing human reason to comprehend, and the like to which cannot be found in the world beside.

Whatever weight, however, such arguments ought to have had, the Italians do not appear to have thought them conclusive. The writings of Luther and Melancthon, of Zuingle and Bucer, continued to be circulated covertly throughout Italy; and in translations, and under fictitious titles, some of them made their way
even

even into the Vatican. Dr. M'Crie gives evidence the most satisfactory, that in almost every principal city the cause of the reformation had numerous friends. Ferrara was full of them; even foreign protestants resorted to it as an asylum; Marot, the not inelegant translator of the Psalms into French, fled thither from persecution; and Calvin himself sojourned there for several months, receiving distinguished attention from the duchess, and confirming her in the sentiments of the reformers, which she had already embraced (p. 70.) Of Modena, its own bishop complains in a letter to Cardinal Contarene, that, by common report, 'the whole city was turned Lutheran.' (p. 78.) Florence was less corrupted; yet Brucioli, whose version of the New Testament, and indeed all his works, 'published or to be published,' were formally interdicted at the council of Trent, was a Florentine; and so was Carneseca, the martyr. (p. 79.) The people of Bologna expressed their earnest desire that the emperor should interfere to procure for them liberty of conscience in matters of religion, or, if this could not be granted, that they might at least 'be allowed to purchase bibles without incurring the charge of heresy, and to quote Christ and St. Paul without being branded as Lutherans.' (p. 83.) Venice was at that time a powerful, independent, and zealous republic, with a printing-press the most efficient in the world, and with opportunities, from her commerce both by sea and land, of making its productions known throughout Christendom. Letters were a branch of trade at Venice. To its merchants were consigned the books of the German and Swiss reformers, and over Italy and elsewhere there issued from this ark, as it rode amidst the waters, the Dove of Peace. Here

'The evangelical doctrine had made such progress between the years 1530 and 1542, that its friends, who had hitherto met in private, for mutual instruction and religious exercises, held deliberations on the propriety of organizing themselves into regular congregations, and assembling in public. Several members of the senate were favourable to it, and hopes were entertained at one time that the authority of that body would be interposed in its behalf.'—p. 95.

Melancthon addressed a letter to them upon the subject, and though numbers in that city were found (as we shall presently see) faithful to the death, the government would not declare in favour of the reformation at that critical moment, or perhaps a new impulse might have been thereby given to her fortunes, now passing the meridian; and instead of the melancholy wreck of former greatness which she exhibits at this day, she might have continued a queen for ever. The new opinions were not confined to the capital—Vicenza, Treviso, and other places in the Venetian territory, partook of them.

‘If it be God’s will,’ write the brethren of those parts to Luther, ‘that we obtain a truce, what accessions will be made to the kingdom of Christ, in faith and charity! How many preachers will appear to announce Christ faithfully to the people! How many prophets, who now lurk in corners, exanimated with undue fears, will come forth to expound the scriptures.’—p. 99.

The Milanese, as early as the year 1524, had caught the infection. The vicinity of the Vaudois contributed to spread it in this part of Italy, and the disorders of a district which had long been the seat of war left no leisure for extirpating it. Nor was it in the north of Italy only that this spirit had gone forth; the German soldiers, who, after the sack of Rome, in 1527, for some time garrisoned the city of Naples, are supposed to have carried with them the Lutheran doctrines, which, indeed, were not new in Calabria. Valdez, a layman of remarkable prudence and talent, watered this hopeful plant; and Ochino and Peter Martyr, names well known in the annals of our own church, gave it further increase. For here it was that the theologian who afterwards occupied the divinity-chair at Oxford first studied the scriptures; and here it was that the preacher, who was pronounced by Charles V. a man ‘to make the stones weep,’ first lifted up the reformer’s voice. Even Sicily felt the influence of a Luther.

‘Benedetti, surnamed Locarno, from the place of his birth, a minister of great sanctity, having gained the favour of the viceroy, preached the truth, under his patronage, to crowded audiences, in Palermo, and other parts of that island. The seeds of his doctrine afterwards sprung up, and gave ample employment to the inquisitors. For many years, persons charged with the Lutheran heresy were produced in the public and private *autos da fê* celebrated in Sicily.’—p. 123.

We have run some risk of being thought tedious in our details, though we have not nearly gone the round of Italy with Dr. M’Crie, who has prosecuted this part of his subject with great diligence. Less, however, would not have sufficed to show at all adequately how effectually the state of public opinion (of which we have already spoken) had prepared the way for a reformation in Italy; and how remarkable a progress the great cause had actually made there. Well might the church of Rome believe that a movement so universal was not to be put down by a *Catechismus ad Parochos* alone, and that the effect of such logic must be accelerated by exile, imprisonment, and the flames. Persecution, if begun in time, conducted with discretion, and continued long enough, will break the heart of a stouter nation than the Italians; and if the reign of Mary had been as lasting as that
of

of Elizabeth, and as wary, it is not impossible that the fate of the reformation in England and Italy might have been the same. Popish historians are right enough when they attribute the salvation of the Roman catholic religion south of the Alps, in a main degree, to the establishment of the Inquisition at Rome, in 1543. There was, at least, wisdom in this wickedness. It drove out of the country, or buried in its dungeons, or pursued to the death, all who ventured to think for themselves; and so the unity of the church was restored—*Solitudinem faciunt, pacem appellant*. For twenty years and more was this accursed engine in the utmost activity, and so well it did its work, that all traces of the reformation at length disappeared; down it went, with a shriek, like a drowning man, and the waters close over him, and not a sign is left that he has ever been. Now were spies commissioned to disperse themselves over the country, and being furnished with recommendations, and disguised under a variety of characters, they gained access to the secrets of their simple hosts, and betrayed them to the Inquisition. To this day may be seen in the cellars of this cruel tribunal at Venice, (for here, too, the policy of the pope had contrived its establishment,) written with an unsteady hand, as in the dark, apophthegms, which may well have had their origin in those days of perfidy:

‘Da chi mi fido, guardami Dio;

Da chi non mi fido, mi guardarò io.’

For mutual suspicion was now sown amongst the members of the same hearth—husband and wife, parent and child, master and servant, hastened to get the start of each other in the race of unnatural treachery; and a man’s foes literally became those of his own household. But the number of persons thus secretly denounced, and in many cases silently disposed of, must remain a mystery till that day when, amongst other deeds of darkness, these, too, shall be disclosed.

‘Know that I am in great trouble, and danger of my life,’ writes Altieri, the Venetian reformer, to Bullinger; ‘nor is there a place in Italy where I can be safe with my wife and boy. My fears for myself increase daily, for I know the wicked will never rest till they have swallowed me up alive. Give me a place in your prayers.’—p. 224.

And no more is heard of Altieri! The misguided people were stimulated by the inquisitors to supply them with victims, by appeals to their interest, present as well as future. There was no mischief, moral or physical, that befel them, of which the heretics were not at the bottom. The charges were made with as much decency as those against the camel at Jumbo, which was delivered over to the secular arm, as Bruce tells us, for having cursed the sheriff of Mecca, and for having threatened to

to set fire to the town and destroy the wheat. So were these poor creatures held up to the execration of a superstitious peasantry, as the evil eye which blighted their corn, and blasted their olive-yards, and sent a murrain among their cattle, and destroyed their substance. Other means, even more unjustifiable than these, were occasionally resorted to.

‘A rich nobleman of Modena, in the duchy of Ferrara,’ writes Eglon to Bullinger, ‘was lately informed against as a heretic to the pope, who had recourse to the following method of getting him into his claws:—The nobleman had a cousin at Rome, who was sent for to the castle of St. Angelo, and told, either you must die, or write to your cousin at Modena, desiring him to meet you at Bologna, as you wish to speak to him on important business. The letter was dispatched, and the nobleman, having ridden in haste to Bologna, was seized as soon as he had dismounted from his horse. His friend was then set at liberty. This is Dragon’s game.’—p. 274.

We have sometimes thought that the courage of Milton, in avowing his religious sentiments during his travels in Italy, has been more talked of than the risk justified. But, no doubt, at that time there was danger in it, for the suspicions which the attempt at a reformation had excited were not as yet laid to sleep. Sir Henry Wotton’s advice, *il viso sciolto, i pensieri stretti*; Galileo’s imprisonment, and the imprudence Milton was thought to be guilty of in paying him a visit; the shyness of the Marquess of Manso towards the poet; the fact, also, which Evelyn mentions, of his having met with a Scotsman and an Irishman in Italy, who resided there, and found it needful to conceal that they were protestants—all these circumstances concur to prove that the alarm of the foregoing century had been great, and its effects lasting.

It was not the practice of the Inquisition of Italy to outrage the feelings of the people by a public display of its terrors. The tribunal was not popular in that country; to say the truth, the Italians are not a sanguinary nation, nor have ever been so in Christian times. It is a matter of just surprise, that with such governments as theirs, blood should be so seldom shed; and that society, constructed as it is, should hold together at all, with so little recourse to capital punishment. In Spain, it was otherwise; there the hatred of a Protestant succeeded to that of a Moor, and the burning of either was a holiday spectacle.

‘Drowning was the mode of death to which they doomed the protestants at Venice, either because it was less cruel and odious than committing them to the flames, or because it accorded with the customs of the place. But if the *autos da fê* of the queen of the Adriatic were less barbarous than those of Spain, the solitude and silence
with

with which they were accompanied were calculated to excite the deepest horror. At the dead hour of midnight the prisoner was taken from his cell, and put into a gondola, or Venetian boat, attended only, beside the sailors, by a single priest, to act as confessor. He was rowed out into the sea, beyond the two castles, where another boat was in waiting: a plank was then laid across the two gondolas, upon which the prisoner, having his body chained, and a heavy stone affixed to his feet, was placed; and, on a signal given, the gondolas retiring from one another, he was precipitated into the deep.'—p. 233.

The persecution throughout Italy was, of course, co-extensive with the heresy; but here we feel almost compelled to pause, for in these days it is not *gentlemanlike* to talk about martyrs. 'The prices of their ashes,' says Fuller, in his own inimitable language, 'rise and fall in Smithfield market. However,' (he justly adds,) 'their real worth flotes not with people's phancies, no more than a rock in the sea rises and falls with the tide; St. Paul is still St. Paul, though the Lycaonians now would sacrifice to him, and presently afterward sacrifice him.' We shall, therefore, venture to draw the attention of our readers to a few individuals of that numerous and 'noble army,' which laid down their lives for the religious liberties of Italy and for the truth.

Faventino Fannio, (we abridge the narrative of Dr. M'Crie,) a native of Faenza, within the States of the Church, having received the knowledge of the truth, by reading the Bible and other religious books, in his native language, imparted it to his neighbours, and was soon thrown into prison. Over-persuaded by his friends, he recanted, and regained his liberty, at the price of his peace of mind. He now determined to atone for his weakness, by spreading amongst his countrymen the reformed faith, with more zeal than before. He travelled through the province of Romagna, and wherever he had made a few converts, he left it to them to make others, and again went on his way rejoicing. At last, he was seized, and sent in chains to Ferrara:—

'To the lamentations of his wife and sister, who came to see him in prison, he replied, "Let it suffice you, that for your sakes I once denied my Saviour. Had I then had the knowledge which, by the grace of God, I have acquired since my fall, I would not have yielded to your entreaties. Go home in peace." His imprisonment, which lasted two years, was to the furtherance of the Gospel, so that his bonds in Christ were manifest in all the place.'

He was visited by the princess Lavinia della Rovere, by Olympia Morata, and other persons of distinction. At length admittance was refused to strangers: he then applied himself successfully to the instruction and conversion of his fellow-prisoners,

some

some of whom were people of rank, confined for offences against the state. He was now condemned to solitary confinement, and his prison and keeper were frequently changed by the priests, who were afraid of the interest he excited in those about him. —But the day of his release drew on—

‘ In the year 1550, Julius III., rejecting every intercession made for his life, ordered him to be executed. He was accordingly brought to the stake at an early hour in the morning, to prevent the people from witnessing the scene; and, being first strangled, was committed to the flames.’—p. 276.

Aonio Paleario was one, of the best scholars of his day: he was successively a professor at Lucca and Milan. From the latter place, he was meditating a removal to Bologna, when, in the year 1566, he was caught, like many others, in that storm of persecution which followed the elevation of Pius V. to the popedom.

‘ Being seized by Frate Angelo da Cremona, the inquisitor, and conveyed to Rome, he was committed to close confinement in the Torre Nona. His book on the Benefit of Christ’s death, (of which it may be remarked, that 40,000 copies were sold in six years,) his Commendations of Ochino, his Defence of himself before the senators of Sienna, and the suspicions which he had incurred during his residence at that place and at Lucca, were all revived against him. After the whole had been collected and sifted, the charge at last resolved itself into the four following articles:—That he denied purgatory; disapproved of burying the dead in churches, preferring the ancient Roman method of sepulture without the walls of cities; ridiculed the monastic life; and appeared to ascribe justification solely to confidence in the mercy of God forgiving our sins through Jesus Christ. For holding these opinions he was condemned, after an imprisonment of three years, to be suspended on a gibbet, and his body to be given to the flames; and the sentence was executed on the third of July, 1570, in the seventieth year of his age’—it being fit that ‘ so obstinate a son of Belial (such is the humane reflection of a Roman catholic church historian) should be delivered to the fire, that, after suffering its momentary pains here, he might be bound in everlasting flames hereafter.’ (p. 300.) What if we should say of him, on the other hand, as a church historian of our own says of Ridley, that, ‘ like Elijah, he was but going up to heaven in a chariot of fire?’

Bartolomeo Bartoccio was the son of a wealthy citizen of Castel, in the duchy of Spoleto. A companion in arms at the siege of Sienna first communicated to him the tenets of the reformers. He soon became an object of distrust to his bishop, and escaped to Venice; but when he had ascertained that all hope of return to his native place was gone, he retired to Geneva, married,

married, and became a manufacturer of silk. In the year 1567, the concerns of his trade took him to Genoa. He had assumed a name, but having confided his own to a merchant, he was betrayed by him, and delivered to the inquisition.

‘The magistrates of Geneva and Berne sent to demand his liberation from the Genoese republic, but before their envoy arrived, the prisoner had been sent to Rome, at the request of the pope. After suffering an imprisonment of nearly two years, he was sentenced to be burned alive. The courage which Bartocci had all along displayed did not forsake him in the trying hour. He walked to the place of execution with a firm step and unaltered countenance, and the cry “Vittoria, Vittoria!” was distinctly heard from him after he was wrapped in the flames.’—p. 305.

But the blackest page in the annals of these hard-hearted times will be found in the history of that colony of Waldenses which we have already said had emigrated to Calabria. Here had they been dwelling for some generations, prosperous, and in peace. By the sixteenth century, they had increased to four thousand, and were possessed of two towns on the coast, Santo Xisto and La Guardia. Constant intercourse with their catholic neighbours, and a long separation from their kindred in the Alps, had corrupted their primitive simplicity, and though they still retained a form of worship of their own, they did not scruple to frequent mass. The report of a new doctrine abroad, resembling that of their forefathers, had reached their ears; they sought to become acquainted with it, and, convinced that they had been wrong in their conformity with the Roman catholic ritual, they applied to their brethren in the valleys of Pragela, and to the ministers of Geneva, for teachers, who should give them a better knowledge of these things. The circumstance was not long a secret at Rome, and two monks, Valerio Malvicino and Alfonso Urbino (’tis a pity to defraud them of their fame,) were sent to reduce them to obedience. They did their work like genuine sons of St. Dominic. In ancient times, heathen inquisitors required suspected Christians to cast a handful of incense upon an altar, and in default of this, they condemned them to the flames. These inquisitors of the holy office substituted attendance at mass as their test of orthodoxy. The people of Santo Xisto refused to comply, and fled to the woods. Those of La Guardia, deluded into a belief that their brethren had already submitted, reluctantly acquiesced, only to reproach themselves with what they had done, when the truth was known. Two companies of foot soldiers were now sent in quest of the fugitives, but these latter were not to be intimidated by cries of ‘Amazzi, Amazzi!’ and, taking their post on a hill, they came to a parley with the captain.

captain. They entreated him to have pity on their wives and children: they said that they and their fathers had for ages dwelt in the country, and had given just cause of offence to no man; that they were ready to go by sea or land wherever their superiors might direct; that they would not take with them more than was needful for their support by the way, and would engage never to return; that they would cheerfully abandon their houses and substance, provided they could retain unmolested their principles and faith. To this address, as well as to the hope expressed at the same time, that they might not be driven to a desperate defence, the officer turned a deaf ear. His men were ordered to advance, and most of them fell by the swords of the Vaudois. The monks now wrote to Naples for assistance, which was sent, and all the cruelties which could be exercised by the combined ingenuity of pitiless banditti, (for such were literally the troops now employed,) and yet more pitiless inquisitors, were put in force against this devoted race. Of the last scene of their sufferings, a record is preserved in a letter to Ascanio Caraccioli, from his servant, an eye-witness of the facts he relates, and a Roman catholic. It is given by Dr. M'Crie, as follows:—

‘ Most Illustrious Sir—Having written you from time to time what has been done here in the affair of heresy, I have now to inform you of the dreadful justice which began to be executed on these Lutherans early this morning, being the eleventh of June; and, to tell you the truth, I can compare it to nothing but the slaughter of so many sheep. They were all shut up in one house, as in a sheep-fold: the executioner went, and bringing out one of them, covered his face with a napkin or benda, as we call it, and causing him to kneel down, cut his throat with a knife. Then, taking off the bloody napkin, he went and brought out another, whom he put to death after the same manner. In this way, the whole number, amounting to eighty-eight, were butchered. I leave you to figure to yourself the lamentable spectacle, for I scarcely can refrain from tears while I write; nor was there any person, who, after witnessing the execution of one, could stand to look on a second. The meekness and patience with which they went to martyrdom and death was incredible. Some of them at their death professed themselves of the same faith with us, but the greater part died in their cursed obstinacy. All the old men met their death with cheerfulness, but the young exhibited symptoms of fear. . . .

‘ According to orders, waggons were already come to carry away the dead bodies, which are appointed to be quartered and hung up on the public roads, from one end of Calabria to the other. Unless his holiness and the viceroy of Naples command the marquess de Brucianici, the governor of this province, to stay his hand, and leave off, he will go on to put others to the torture, and multiply the executions until he has destroyed the whole. Even to-day, a decree has passed, that

that a hundred grown-up women shall be put to the question, and afterwards executed. . . .

'The heretics taken in Calabria amount to sixteen hundred, all of whom are condemned; but only eighty-eight have as yet been put to death. This people came originally from the valley of Angrogna, near Savoy, and in Calabria are called "Ultra-Montani." Four other places in the kingdom of Naples are inhabited by the same race, but I do not know that they behave ill, for they are a simple unlettered people, entirely occupied with the spade and plough, and, I am told, show themselves sufficiently religious at the hour of death.'—p. 263.

'Lest the reader,' continues Dr. M'Crie, 'should be inclined to doubt the truth of such horrid atrocities, the following summary account of them, by a Neapolitan historian of that age, may be added.' After giving some account of the Calabrian heretics, he says—

'Some had their throats cut, others were sawn through the middle, and others thrown from the top of a high cliff; all were cruelly but deservedly put to death. It was strange to hear of their obstinacy; for while the father saw the son put to death, and the son his father, they not only gave no symptoms of grief, but said, joyfully, that they would be angels of God: so much had the devil, to whom they had given themselves up as a prey, deceived them.'

Dr. M'Crie thus winds up this miserable narrative :—

'By the time that the persecutors were glutted with blood, it was not difficult to dispose of the prisoners who remained. The men were sent to the Spanish galleys; the women and children were sold for slaves; and, with the exception of a few who renounced their faith, the whole colony was exterminated. "Many a time have they afflicted me from my youth," may the race of the Waldenses say, "Many a time have they afflicted me from my youth; my blood, the violence done to me and to my flesh be upon" Rome!'—p. 266.

Who can read these piteous details without saying Amen to the closing prayer of that collect in verse (as it has been well called), of our great poet, writ on a similar massacre of the original stock?

'O Lord, their martyred blood and ashes sow
O'er all the Italian fields, where still doth sway
The Triple Tyrant; that from these may grow
A hundred fold, who, having learned thy way,
Early may fly the Babylonian woe!'

The protestants who survived were, for the most part, scattered abroad. Those who lived near the borders sought an asylum in Switzerland and France, and some travelled even as far as Flanders and England. They introduced into the countries which received them many of the arts peculiar to their own: silk manufactures, mills, and dying-houses, were built under their instructions,

tions, and, like the fugitives from the intolerance of the Duke of Alva shortly after, and again from that of Louis XIV., they repaid the hospitality shown them by opening, wherever they came, sources of wealth hitherto unknown. Sometimes, they migrated in a body, as did those of Locarno, but with the mark of Cain set upon them by the church, and left to struggle through the snows and ice of the Rhætian Alps as best they could, it being one of their misfortunes that their 'flight was in the winter.' These achieved their liberties like men, but all had not their hardihood. A band of Neapolitans resolved upon the same course, but when they came to those noble mountains where they were to take a last view of the land of their fathers, 'the greater part, struck with its beauties, and calling to mind the friends and comforts which they had left behind, abandoned their enterprise, parted with their companions, returned to Naples,' and lived to find that the loss of self-esteem is a far greater evil than the loss of country, and that infirmity of purpose in a good cause is the last sin which society forgives. Many, again, dwelling in the interior of Italy, where escape in a body was hopeless, stole away singly, and if tempted to return, as they sometimes were, for their families, or the wreck of their fortunes, fell a prey to the vigilance of the Inquisition. Nor were there wanting those, who, dismayed alike at the prospect of banishment or death, looked back from the plough to which they had put an unsteady hand, and made their peace with Rome by timely compliance.

Thus ended the Reformation in Italy. It only remains to say a few words on the causes which produced its extinction; to the chief one of which, indeed, we have already had occasion to allude.

1. In the first place, the system of the Roman catholic religion was more difficult of eradication in Italy than in any other quarter of the world. It had taken advantage of all the most ancient sympathies of the country and the long-established practices of Pagan times. The people had been made to slide out of a Gentile into what stood for a Christian ritual: as little violence as might be was done to their previous prejudices, and as many of these as possible, and more than were innocent, had been spared and cherished. The temples were turned into churches; the altars of the old gods served for the new saints; the curtains with which they were shrouded, the finery with which they were bedecked, the incense burnt before them, and the votive tablets suspended to their honour, all continued as they had been. The garlands over the doors had withered—and were replaced; the aquaminiarum which held the water of purification, held it still; the bell was still rung to excite the worshipper, or expel the demon; and the sacrifice which had been offered, was offered as before,

before, and its well-known name of hostia, or host, retained. In earthquake, pestilence, or drought, the succour of either of these classes of superior beings was successively resorted to, and in precisely the same way. They were entreated, they were coaxed, they were scolded, they were threatened, in terms not distinguishable; processions were made for them, and tapers, music, tapestry, fraternities, and a box of relics, propitiated them alike. Hills and fountains were the asylums of either, and the votaries of the saint were exhorted to say their orisons at the one, or crawl upon their knees to the other, as it had been the practice to do by the gods in the days of their ancestors; a figure of St. Peter relieved guard at the gate for Mercury or Cardea; the niche in the parlour, or bed-room, was occupied by St. Roque, or St. Sebastian, instead of the Phrygian penates; your person was protected by a St. Vitale next your skin, in the room of an Æsculapius, or an Apollo; pollution was averted from your walls by a frowning St. Benedict, instead of Jupiter Optimus Maximus, and the Twelve Gods; and you set sail in a ship whose sign was St. Nicholas, and with about the same chance of skill, presence of mind, and self-confidence in the crew, as if her sign had still continued to be Castor and Pollux. But this system of accommodation, whereby sentiments of loyalty to the old religion were to be enlisted for the new, is yet more apparent in another particular. The religion of our Lord and his Apostles afforded no plausible pretence for the worship of those nymphs and goddesses to which the Italians had been used. What was to become of the devotion that had thus been paid to the softer sex? Where was this to be directed? The Virgin was thought of as fitted to stand in the gap, and to the Virgin were the honours transferred: she became practically the Cybele of a former generation; she had her title, Deipara; cakes were offered to her as the queen of heaven; beggars asked an alms 'per la Madonna,' as they had heretofore done, by legal permission, 'pro Matre Deum;' and the festival of the Idæan Mother was no other than *Lady-day*. Inferior female saints now took the places, in their turn, of the inferior goddesses: in some cases, the very name of the deity descended to her successor, and Anna Perenna, the nymph of the Numicius, is to be found (we believe) to this day, in the same neighbourhood, under the alias of St. Anna Petronilla. The ancient system of coquetry and stolen interviews between deities of the one sex and mortals of the other, revived, not unfrequently with more than all the grossness, but seldom with much of the poetry of other times. Thus were Romans surprised into Roman-catholics, and the vulgar at least, without being conscious of having undergone any very sensible mutation, were assured, that all was right, and that

by some means or other changed they were *intus et in cute*. This confusion of religious character strikes us in almost every page of the more ancient Italian writers: it is quite a feature in the early literature of Italy; sacred and profane images are blended without the smallest regard to decency, though evidently without any consciousness of a want of it in the parties themselves. It was the custom of the day to plough with an ox and an ass; a mistake has been often made about it by those who have written on the revival of learning, and the motley union has been imputed to the pedantry of an age awaking from barbarism, and vain (as sciolists always are) of its new acquirements. This was not altogether the case; it was the humour of the times which had made men neither Christians nor pagans, which could again confound Jupiter with Barnabas, and Mercury with Paul. From all this, however, it is plain enough, that, independently of that hold which the church of Rome takes of any people by engaging their senses, and combining some religious rite with all the ordinary duties and occupations of common life, it bound the people of Italy by a spell of their own, even the natural affection which men have for the rites and customs of their forefathers.

2. Again—In some countries, and more especially in England, since the reign of Edward III., there had been a constant political struggle going on between the secular and ecclesiastical authorities. The king and nobles had perpetually to dispute the tyrannical pretensions of the Roman catholic church; for though Tityrus might go to *Rome* in search of *liberty* (Virg. Ec. i. 27), the men of England thought it the last place where she was likely to be found. A quiet but organised opposition to the Pope was thus formed, which the Reformation found in the country and fed upon. In Italy, no spirit of this kind *could* exist, because the secular and ecclesiastical authorities were there united in one and the same head. In Italy, therefore, there was not that political pabulum for a reformation which existed elsewhere. The seed fell upon stony ground, and sprang up, indeed, but withered for lack of moisture.

3. Further—Amongst the Italian reformers themselves there were many unhappy divisions, which wasted their strength. Some of the questions that thus ministered strife were upon fundamentals—the doctrines of the Trinity and atonement. Here accommodation was impossible, because there was a disagreement as to the object of worship. Others were more speculative, and might, perhaps, have admitted of adjustment. Luther and Zuingli, in their conflicting sentiments on the eucharist, had each their zealous followers in Italy, and the former, interposing with his characteristic impetuosity, only widened the breach. Dr. M'Crie
thinks

thinks that, on this occasion, Luther was to be blamed—that he ought to have remembered that the whole cause of evangelical truth was at stake—that its friends were few in number and rude in knowledge—that there were many things which they were not yet able to bear—that they were sheep in the midst of wolves—and that the tendency of his interference was to divide and scatter and drive them into the mouth of the wild beast, (p. 148.) Luther, however, would not have been Luther had he acted otherwise than he did—he was not the man to conciliate, but to correct:—we must take the evil with the good—the temper, which made him the fittest instrument in the world for pulling down the strongholds of errors that were pestilent, made him incapable of coming to a compromise with errors (so he thought them) which were venial. Melancthon would have done so; but would Melancthon have shaken in pieces the popedom? We can only say of Luther and Zuingle, in this matter, as was said of Ridley and Hooper in another, ‘that God’s diamonds often cut one another, and good men cause afflictions to good men.’ Still the cause of the reformation in Italy, no doubt, suffered in these disputes.

4. Again—It would be monstrous to make it matter of charge against any man, that he does not lay down his life for a cause in which he feels the greatest interest notwithstanding: yet it is not to be denied that the blood of the martyr is the seed of the church, and that the early retreat of many of the leading reformers from Italy was sadly unpropitious to their cause. Unquestionably, Peter Martyr did a perfectly justifiable act,—justifiable even according to the very letter of scripture,—when he fled from Lucca, where it would have been death for him to stay: but when from his place of security he addressed a letter of reproach to his quondam congregation, because, deserted by their leader and dismayed by the sight of the engines of the inquisition, they had recanted, he was not forwarding the reformation so successfully, as if, like our own intrepid Rowland Taylor, in the parish which had long been the scene of his labours, he had crowned them all by crying aloud, ‘I have preached to you God’s word and truth, and am come this day to seal it with my blood.’

5. But that which contributed to the suppression of the reformation in Italy, above everything else, was, as we have already said, the establishment of the inquisition, and the wicked wisdom with which it was managed. Though many made their escape before the storm fell, still, as we have seen, martyrs were not wanting; but the effect of their sufferings was comparatively lost by the secrecy with which they were inflicted. The deed was done in the night—perhaps in the prison—if before spectators, ecclesiastics chiefly, or altogether, who could then give out, with-

out fear of contradiction, that they died, after all, penitent sons of the church. In England, the persecution was well meant, but ill conducted. It should have gone upon the principle of *quietly* exterminating the heretics, instead of exposing them in flames before the people, as a warning that they too might come to that place of torment. To exhibit a fellow-creature leaping up and down under the smouldering faggots, and shrieking 'I cannot burn,' was not to admonish, but to horrify. How could such things be seen and heard, and the reformation stand still? Nothing, indeed, but the most unaccountable blindness of heart could have caused the Church of Rome to hazard such experiments as these upon the feelings of a spirited people, or prevent her from perceiving that all terror at such sights would be necessarily lost in loathing and indignation. And so it came to pass. They revolted multitudes who witnessed them. They gave force to that spirit of ultra-reformation, which drove the puritans to ride rough shod over all that had been popish, both bad and good—and they supplied an honest martyrologist with materials for a work which animates the piety and preserves the protestantism of the country, so that by means of John Fox, the martyr, though dead, still speaketh, and to this very day,

'E'en from the tomb the voice of nature cries,
E'en in *his* ashes live their wonted fires.'

ART. IV.—1. *May Fair: a Poem, in Four Cantos.* London. 12mo. 1827.

2. *Whitehall; or, the Days of George IV.* London. 12mo. 1827.

3. *The Forget Me Not.* London. 12mo. 1828.—*The Literary Souvenir.* Ditto.—*The Amulet.* Ditto.—*The Bijou.* Ditto.—*The Pledge of Friendship.* Ditto.—*The Friendship's Offering.* Ditto.—*The Keepsake.* 8vo.—*The Christmas Box.* 18mo. &c., &c.—*The Winter's Wreath.* Liverpool. 12mo. 1828.

WE have but one answer to the charge, so frequently preferred against us by the news-writers, of neglecting the current *belles-lettres* of the day; viz., that of late years there has been a sad dearth of productions either meritorious enough to demand serious applause, or so conspicuously bad as to justify us in occupying our own and our reader's time with their castigation. It is very natural for the manufacturers of poetry, would-be-Byronic or Wordsworthian, and of novels of the Reuben-Apsley class, to be astonished that their performances are so often allowed to enjoy for a brief interval the puffery of daily, weekly, and monthly trumpeters, and then sink into the abyss of eternal forgetfulness, without

without our making any effort either to keep them above the horizon, or plunge them, ere the time, below it. Let them point out to us one work of imagination which, having never been noticed in these pages, retains anything like popular favour after the lapse of one year from the day of its publication—and we shall confess ourselves to have been in the wrong.

The two little works named first at the head of our paper appear to us to deserve more attention than most recent contributions to the stock of what is (so often absurdly) denominated light reading. 'May Fair' is a playful satire on the fashionable manners of the time—displaying talents quite equal, in our opinion, to the 'Advice to Julia'—though not, we rather suspect, written by an author quite so intimately conversant with the scenes touched upon. However that may be, we venture to point out the following sketches as worthy of some respect—and, to say truth, we are surprised that the volume, of which they are only fair specimens, has been so little talked of. The poem is divided into four cantos, entitled respectively, 'The Morning Visit,' 'The Dinner,' 'The After-dinner,' and 'The Midnight Drive.' Our quotations shall be from the second.

'*Le Diplomat*, ecstatic fate
Of the fifth cousins of the great:
Blest with a pound a-day for life,
To lacquey *Monsieur L'Envoy's*
wife—

Teach French and figures to the
daughters,

See that they swallow their Spa-
waters;

Prepared to answer every question
Touching your "sweet *eleve's*"
digestion;

Take passport-pictures of the mob,
Who ramble to be robb'd, or rob;

The length of chin, the tint of nose,
The holes in breeches, and in hose.
Scribble the rout and dinner packs,
Lock up the royal pounce and wax;
Feel laugh'd at by the luckier
fribbles,

Till life between your fingers
dribbles;

Condemn'd, till its last sands are
roll'd,

To fold and frank, and frank and
fold;

And envying every wretch in fetters,
Die as you've lived—a man of *letters*.'

A circumstance that persuades us this author is no regular denizen of May Fair is the spleen which he displays on literary subjects: at least, in that milk and water region, we are credibly informed, the oral perpetuator of such pungencies as the following could not be tolerated for half a season.—He is describing the conversation of 'The After-dinner;' part of which turns naturally enough on Captain Parry, then starting on his *fourth* voyage.

—'Sir! listen, if you like a fact:
After three months' ice-parading,
After three months' masquerading,

After three months' knocks and
bumps

That bring his lugger to her stumps;
After

After loss of pipes and spoons,
 Deficit of pantaloons ;
 Hairbreadth scapes of white bear
 paws,
 Sentimental loves of squaws ;
 Just as he espied the channel,
 Brought to his last yard of flannel ;
 All his best cigars burnt out,
 Winds all whistling ' right about ;'
 Quarter-day, you'll have him back,
 With his volume in his pack.
 ' Out the wonder comes at last,
 Wondering how it came so fast—
 All the world, including Murray,
 In a philosophic flurry ;
 All the botanizing belles,
 All whom Brande provides with
 smells,
 All the twaddlers of the Alfred,
 All the quarter and the half read ;
 All the paper-headed members
 Shivering over learning's embers ;
 All Parnassus' wither'd shrubs,
 All the sages of the Clubs ;
 All the doldrum F. R. S.'s,
 Deep in duckweed, straws, and
 cresses ;
 Worthy measurers of dust—
 Worthy of Sir Joseph's bust,
 Worthy to complete the ranks
 Of the mighty name of Bankes,
 Deep in nondescript descriptions,
 Puzzling as their own Egyptians ;
 Lecturers on a gnat's proboscis,
 Oracles in mire and mosses ;
 Hunters up of Autographs—
 At whose labours mankind laughs ;
 Delving through the hideous scrib-
 bles
 Of forgotten knaves and fribbles.
 ' All thy tribe, Lord Aberdeen,
 Sense and nonsense stuck be-
 tween ;
 Wise in all things dead and rotten,
 Useful as a herring shotten ;
 Solemn beggars, in whose bags
 All the gathering is rags.

Learning's resurrection-men,
 Wielders of the church-yard pen,
 Worthy of the plundered lead—
 Worms, that feed but on the dead !
 Sweeps, that never lift their eyes
 Where the flames of Learning risé ;
 But beside its altar's foot
 Fill their pouches with the soot.
 All the crazing, and the crazed,
 Hurry all—to be amazed !
 Page by page unrolls before ye
 Britain's Argonautic glory ;
 How the grand Discovery Fleet,
 Several months sailed several feet.
 ' Sunday, hanging o'er the stove,
 Thought the vessel *meant* to mové.
 Monday, rather felt the frost ;
 Tuesday, thump'd, and crost, and
 tost ;
 Wednesday, kick'd from post to
 pillar,
 Knock'd the nozzle off the tiller :
 Thursday, white bears in the dis-
 tance,
 Kill'd, long shots, severe resistance ;
 Ate a sailor once or twice—
 White bears seldom over nice.
 Friday, Mercury at Zero,
 Every soul on board a hero.
 Saturday, all cased in rime,
 Scarcely thawed at pudding-time ;
 Every nose of land or able,
 Living ices at the table ;
 Crystallizing in a row,
 Fine as Jarrin's Christmas show.
 ' But the keenest was to come :
 Muse of History be dumb !
 Though the passage lay in sight,
 Somewhere to the left or right,
 Or behind them, or before them,
 Home the scoundrel breezes bore
 them.
 But next summer 'twill be found,
 Who will bet ten thousand pound ?
 ' But there's something for the
 blues,
 Grieving for their two pound twos,
 Not

Not a squaw but has a story,
Not a flea but skips before ye.
You've a list of every needle,
That could soul or body wheedle.
Tare and tret of every quid,
That for dog or duckling bid ;
How much brandy in her water
Warm'd old Sealskin's oily daughter.
Every bill on Monmouth-street,
Paid for leagues of genuine sleet :
Every Admiralty name,
Yet to fill the trump of fame ;

All the mighty officemen,
Perch'd on stock, or rock, or fen ;
Puzzling all the blubber hordes,
With Lords—alas! no longer Lords.
Hope boasts a marsh, and gallant
More
Is monarch of a mile of shore :
Ill-omen'd Melville has his isle,
Grim as his own paternal pile ;
And stamp'd by friendship's broad-
est arrow,
Looms through eternal mists Cape
Barrow.—p. 114-126.

The persons with whom these liberties are taken can afford to smile over 'May Fair.' We hope the author will in his next performance take care to be as lively and entertaining as he appears in the lines we have quoted, without exhibiting any of that ill-nature, and, we must add, that ill-breeding, of which it would be more easy than ornamental to afford specimens from this duodecimo. He owes it to himself to set to work with a little more of plan, and to polish with a great deal more care; and if he does so, we venture to promise him a place among our comic satirists.

The goodly tome entitled 'Whitehall; or, George IV.,' in which we have discovered no allusion either to Whitehall or our gracious sovereign, seems also to deserve a sentence or two at our hands. The conception of this piece is better than its execution: the author has spoiled a laudable joke by wire-drawing it to 330 pages; and, what is much worse, by engrafting malice, sometimes coarseness into the bargain, on a stock which ought to have borne no fruits but those of sheer merriment. The object is to laugh down the Brambletye House species of novel—and for this purpose we are presented with such an 'historical romance' as an author of Brambletye House, flourishing in Barbadoes 200 or 2000 years hence, we are not certain which, nor is the circumstance of material moment, might fairly be expected to compose of and concerning the personages, manners, and events of the age and country in which we live. We have no desire to analyze the structure of so mere an extravaganza; but humbly recommend the 12mo., as it stands, to the study of those well-meaning youths who imagine that a few scraps of blundered antiquarianism, a prophetic beldame, a bore, and a rebellion, are enough to make a Waverley novel. The book is, in fact, a series of parodies upon unfortunate Mr. Horace Smith—and it is paying the author no compliment to say that his mimicry (with all its imperfections) deserves to outlive the ponderous original.—One specimen

cimen may suffice: it is the description of a trooper in the Life Guards, in the year of grace 1827, by name Esterhazy:—

‘He was a tall man, standing six feet four inches, with a countenance indicative of determination, if not of ferocity. A circular mark, in which the blue colour had begun to yield to the yellow, round his left eye, testified that he had not long before been engaged in personal rencontre; while the pustulary excrescences that disfigured his aquiline nose, showed that he was not less accustomed to the combats of Bacchus than those of Mars. He wore a fur tiara, of enormous dimensions and a conical figure. A pewter plate, indented with the royal arms of England—gules sable, on a lion passant, guarded by an unicorn wavy, on a fess double of or argent, with a crest sinople of the third quarter proper, and inscribed with the names of several victories, won or claimed by the household troops of England, proved him to be a member of the Horse Guards. A red doublet, with a blue cuff, cape, and lappelles, was buttoned with mother-of-pearl buttons, reaching from his waist to his chin, where they were met by a black leather stock, garnished and fastened by a brass clasp, on which was inscribed, *Dieu et mon Droit*, the well known war-cry of the English nation. White kerseymere trowsers, buttoned at the knee, and a pair of D. D. boots—as they were called, from the circumstance of their having been invented by a Duke of Darlington—completed his dress. His arms were a ponderous cut-and-thrust sword, with a handle imitating a lion’s head, sheathed in an iron scabbard, that clanked as he moved along. Over his shoulder was slung a carbine, or short gun, which military law required to be always primed, loaded, and cocked. A pair of horse-pistols were stuck in his leathern belt, and in his hand he bore a large spontoon, or pike. Such was the dress of the Hanoverian Horse Guards of England at that period; and such, even in secondary occasions, their formidable armour; for the absence of the hauberk, (or morion) and of the ponderous target of bull’s-hide and ormolu, showed that the gigantic Hussar was not at present upon actual duty.’—*Whitehall*, p. 88—91.

After this, Mr. Smith will probably have some mercy on the feelings of Dr. Meyrick.

We now approach the ‘literary pocket books,’ a species of publication which we have recently borrowed from the Germans, and in which we have little doubt we shall ere long far surpass our masters. We should have noticed them before now, had the literary part of the performances appeared to deserve much either of praise or of blame. This year, we think, they begin to assume a somewhat better character than heretofore; and, at all events, the taste for them is so evidently gaining strength, that we must hazard a few words on what they are—and on what they ought to be.

Mr. Ackermann’s book, the *Forget Me Not*, deserves the praise of having led the way in this new path. A gentleman, bearing the name of Alaric Attila Watts, and, notwithstanding his name, the

the author of some minor poems which really have nothing either Gothic, or Hunnish, or Methodistical about them, has the higher merit of having 'refined it first, and taught its use' in the *Literary Souvenir*. The other publications named at the head of our paper are (with one exception) mere imitations of these—none of them, on the whole, superior to their originals—the majority far below them.

Mr. Watts unquestionably gave a new turn to the affair. He it was who introduced the fashion of embellishing these little books with really fine engravings from really fine pictures: he is justified, accordingly, in claiming the honour of having 'been of considerable service in promoting a taste for the fine arts in every part of the kingdom.'

With the exception of the 'Keepsake,' which is double the price of the 'Souvenir,' his embellishments have not been surpassed; and, although the terms in which he speaks of the literary part of his publication, in his prefaces, are sufficiently self-complacent, he has not, perhaps, been beaten, taking things in the mass, in that department neither. Some of his rivals have, undoubtedly, printed a few detached poems better than any he has been able to produce; but, on the average, his sheets need not fear any such comparison.

The *Keepsake*, which is the most splendid of its class as to the embellishments, is, we are sorry to see, in literary merit, about the meanest of them all. Except the clever sketch 'Cavendish,' (the author of which ought to set about a comic novel,) a tale entitled 'The False One,' and one or two more *novelettes*, there is nothing in this silk-clothed volume that has the slightest right to be bound up with engravings by Heath and Goodall, from paintings by Lawrence, Turner, Cooper, Stothard, and Chalon.

The *Winter's Wreath* may deserve to be specially noticed, as being the first provincial Souvenir. It is of necessity much below its London predecessors as to the matter of embellishment—but in other respects may hold its ground with the best of them. We understand it has been published for the benefit of some of the Liverpool charities; and hope it will have success. The writing in it is generally of a graver cast than in the rival works; and Mr. Wordsworth has honoured it with two or three little pieces of great beauty.

The *Christmas Box* must also be separately noticed; for it is the first of these little books that professes to be adapted for one particular class of readers, namely, children. It is smaller and much cheaper than any of those designed for babes of larger growth; and its embellishments are not fine, highly-finished engravings, but dozen upon dozen of wood-cuts, from the designs of a
young

young artist of very promising talent, Mr. Brooke. The editor of this 18mo. is Mr. Crofton Croker, the author of 'Fairy Legends of the South of Ireland,' which we reviewed two or three years ago, and which have, we believe, obtained extensive popularity. He apologises for some obvious enough defects in his *coup-d'essai*—but the conception is good, and he will, we doubt not, be encouraged to satisfy himself better in the continuation of the series.

As few of our readers can be supposed to be in possession of more than one or two of these 'pretty pocket-books,' we, who have the whole brilliant pile on our table, shall without further preface offer selections sufficient, we hope, to justify us in introducing the subject.

Mr. Wordsworth gives, in the 'Winter's Wreath,' the following lines 'To a Skylark.'

'Ethereal Minstrel! Pilgrim of the sky!
Dost thou despise the earth where cares abound?
Or while the wings aspire, are heart and eye
Both with thy nest upon the dewy ground?
Thy nest which thou canst drop into at will;
Those quivering wings composed, that music still!
To the last point of vision, and beyond,
Mount, daring warbler! that love-prompted strain
(*'Twixt thee and thine a never-failing bond*)
Thrills not the less the bosom of the plain;
Yet might'st thou seem, proud privilege! to sing
All independent of the leafy spring.
Leave to the nightingale her shady wood;
A privacy of glorious light is thine;
Whence thou dost pour upon the world a flood
Of harmony, with rapture more divine;
Type of the wise who soar—but never roam,
True to the kindred points of Heaven and Home.'

Mr. Coleridge contributes to the 'Bijou' the following graceful stanzas, 'Addressed to a Lady on her recovery from a severe attack of pain.'

'Twas my last waking thought, How can it be,
That thou, sweet friend, such anguish should'st endure?
When straight from Dreamland came a Dwarf, and he
Could tell the cause, forsooth, and knew the cure.
Methought he fronted me with peering look,
Fix'd on my heart; and read aloud, in game,
The loves and griefs therein, as from a book;
And utter'd praise like one who wish'd to blame.
In every heart (quoth he), since Adam's sin,
Two FOUNTS there are, of SUFFERING and of CHEER,
That to let forth, and this to keep within!
But she, whose aspect I find imaged here,

Of

Of pleasure only will to all dispense ;
That Fount alone unlock, by no distress
Choked or turn'd inward ; but still issue thence
Unconquer'd cheer, persistent loveliness.

*As on the driving cloud the shiny bow,
That gracious thing, made up of tears and light,
Mid the wild rack, and rain that slants below,
Stands smiling forth unmov'd, and freshly bright ;*

*As though the spirits of all lovely flowers,
Inweaving each its wreath and dewy crown,
Or ere they sank to earth in vernal showers,
Had built a bridge to tempt the angels down.*

Ev'n so, Eliza ! on that face of thine,
On that benignant face,—whose look alone
(The soul's translucence through her crystal shrine !)
Has power to sooth all anguish but thine own—

A Beauty hovers still, and ne'er takes wing ;
But with a silent charm compels the stern
And fost'ring Genius of the BITTER SPRING,
To shrink aback, and cower upon his urn.

Who then needs wonder if (no outlet found
In passion, spleen, or strife) the FOUNT OF PAIN,
O'erflowing, beats against its lovely mound,
And in wild flashes shoots from heart to brain ?

Sleep, and the Dwarf with that unsteady gleam,
On his rais'd lip, that aped a critic smile,
Had passed : yet I, my sad thoughts to beguile,
Lay weaving on the tissue of my dream.

Till audibly at length I cried, as though
Thou hadst indeed been present to my eyes,
O sweet, sweet sufferer ! if the case be so,
I pray thee be *less* good, *less* sweet, *less* wise !

In every look a barbed arrow send ;
On those soft lips let scorn and anger live ;
Do *any* thing, rather than thus, sweet friend,
Hoard for thyself the pain thou wilt not give !

Mr. Coleridge has published, in the same volume, a fragment in prose, entitled ' the Wanderings of Cain,' which is too long to be quoted entire, and far too good to be mutilated. In this piece the genius of the ' Ancient Mariner' displays some of its noblest qualities. The pathetic is carried up to the terrible, and the language is as chaste and simple as the conceptions of the great poet are original and sublime.

Mr. Charles Lamb also adorns the pages of the *Bijou* with some ' Verses in an Album,' which, in a certain graceful quaint-

ness

ness both of thought and expression, remind us of some of the best trifles of the 17th century.

‘ Fresh clad from heaven in robes of white,
 A young probationer of light,
 Thou wert, my soul, an Album bright.
 A spotless leaf ; but thought, and care,
 And friends, and foes, in foul or fair,
 Have “ written strange defeature ” there.
 And time, with heaviest hand of all,
 Like that fierce writing on the wall,
 Hath stamp’d sad dates—he can’t recall.
 And error, gilding worst designs—
 Like speckled snake that strays and shines—
 Betrays his path by crooked lines.
 And vice hath left his ugly blot—
 And good resolves, a moment hot,
 Fairly begun—but finished not.
 And fruitless late remorse doth trace,
 Like Hebrew lore, a backward pace—
 Her irrecoverable race.
 Disjointed numbers—sense unknit—
 Huge reams of folly—shreds of wit—
 Compose the mingled mass of it.
 My scalded eyes no longer brook,
 Upon this ink-blurr’d thing to look.
 Go—shut the leaves—and clasp the book !’

In the ‘ Winter’s Wreath ’ we find a translation of Filicaia’s magnificent ode on the deliverance of Vienna from the Turks by John Sobieski, King of Poland, which, but for its length, we should be glad to quote as it stands. It does much credit to the author, Mr. Babington Macaulay : the versification is loftily harmonious, and worthy of Milman. The ode opens thus :—

‘ The chords, the sacred chords of gold,
 Strike, oh Muse, in measure bold ;
 And frame a sparkling wreath of joyous songs
 For that great God to whom revenge belongs.
 Who shall resist His might,
 Who marshals for the fight
 Earthquake and thunder, hurricane and flame ?
 He smote the haughty race
 Of unbelieving Thrace,
 And turned their rage to fear, their pride to shame.
 He looked in wrath from high
 Upon their vast array ;
 And in the twinkling of an eye

Tambour,

Tambour, and trump, and battle-cry,
And steeds, and turbaned infantry
Passed like a dream away.
Such power defends the mansions of the just ;
But, like a city without walls,
The grandeur of the mortal falls
Who glories in his strength, and makes not God his trust.
The proud blasphemers thought all earth their own ;
They deemed that soon the whirlwind of their ire
Would sweep down tower and palace, dome and spire,
The Christian altars and the Augustan throne.
And soon, they cried, shall Austria bow
To the dust her lofty brow.
The princedoms of Almayne
Shall wear the Phrygian chain ;
In humbler waves shall vassal Tiber roll ;
And Rome, a slave forlorn,
Her laurelled tresses shorn,
Shall feel our iron in her inmost soul.
Who shall bid the torrent stay ?
Who shall bar the lightning's way ?
Who arrest the advancing van
Of the fiery Ottoman ?
As the curling smoke wreaths fly
When fresh breezes clear the sky,
Passed away each swelling boast
Of the misbelieving host.
From the Hebrus rolling far
Came the murky cloud of war,
And in shower and tempest dread
Burst on Austria's fenceless head.
But not for vaunt or threat
Didst Thou, oh Lord, forget
The flock so dearly bought, and loved so well.
Even in the very hour
Of guilty pride and power
Full on the circumcised Thy vengeance fell.
Then the fields were heaped with dead,
Then the streams with gore were red,
And every bird of prey, and every beast
From wood and cavern thronged to Thy great feast.
What terror seized the fiends obscene of Nile !
How wildly, in his place of doom beneath,
Arabia's lying prophet gnashed his teeth,
And cursed his blighted hopes and wasted guile !
When at the bidding of Thy sovereign might,
Flew on their destined path
Thy messengers of wrath
Riding on storms and wrapped in deepest night.

The

The Phthian mountains saw
 And quaked with mystic awe:
 The proud Sultana of the Straits bowed down
 Her jewelled neck and her embattled crown, &c.

Of the minor Italian poets, there is none who has been so fortunate in his English translators as Filicaia.

The 'Literary Souvenir' for this year contains no poetical pieces which would quite bear being quoted, after these specimens—though we are somewhat tempted by the verses on the death of a child, at p. 113;—but Mr. Watts has been, we think, more fortunate than any of his brother editors in his prose department. There are three tales, in particular, of no common merit, in very different styles: 'The Whisperer;' 'A Roland for an Oliver;' and 'The City of the Demons.' This last is an amplification of a most picturesque legend in the Talmud, by a distinguished Hebraist, Dr. Maginn of Trinity College, Dublin; and but for its length we should have had pleasure in quoting it.

The 'Friendship's Offering' for 1828 is, perhaps, the worst of these productions, and yet it happens to contain one composition which we have no difficulty in saying stands unrivalled among all the pocket-books of the year. This is a funeral song for the Princess Charlotte, which must have been written at the time of Her Royal Highness's lamented death, but which Mr. Southey has now, for the first time, given to the public. It is worth all the laureate odes of the last century put together: it has, in parts, the lyric majesty of Gray, in others, the grave pathos of Wordsworth, and throughout a charm of moral eloquence such as few writers of any age or country have been able to sustain like Mr. Southey himself.

<p>' In its summer pride arrayed, Low our Tree of Hope is laid! Low it lies:—in evil hour, Visiting the bridal bower, Death hath levelled root and flower. Windsor, in thy sacred shade, (This the end of pomp and power!) Have the rites of death been paid: Windsor, in thy sacred shade Is the Flower of Brunswick laid! ' Ye whose relics rest around, Tenants of this funeral ground! Know ye, Spirits, who is come, By immitigable doom Summoned to the untimely tomb? Late with youth and splendor crown'd, <i>Late in beauty's vernal bloom,</i></p>	<p>Late with love and joyaunce blest; Never more lamented guest Was in Windsor laid to rest. ' Henry, thou of saintly worth, Thou, to whom thy Windsor gave Nativity, and name, and grave; Thou art in this hallowed earth Cradled for the immortal birth. Heavily upon his head Ancestral crimes were visited. He, in spirit like a child, Meek of heart and undefiled, Patiently his crown resigned, And fixed on heaven his heavenly mind, Blessing, while he kiss'd the rod, His Redeemer and his God.</p>
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Now

Now may he in realms of bliss
Greet a soul as pure as his.

‘ Passive as that humble spirit,
Lies his bold dethroner too ;
A dreadful debt did he inherit
To his injured lineage due ;
Ill-starred prince, whose martial
merit

His own England long might rue !
Mournful was that Edward’s fame,
Won in fields contested well,
While he sought his rightful claim :
Witness Aire’s unhappy water,
Where the ruthless Clifford fell ;
And when Wharfe ran red with
slaughter,

On the day of Towcester’s field,
Gathering, in its guilty flood,
The carnage and the ill-spilt
blood,

That forty thousand lives could
yield.

Cressy was to this but sport,
Poitiers but a pageant vain,
And the victory of Spain
Seem’d a strife for pastime meant,
And the work of Agincourt
Only like a tournament ;
Half the blood which there was
spent

Had sufficed again to gain
Anjou and ill-yielded Maine,
Normandy and Aquitaine ;
And Our Lady’s ancient towers,
Maugre all the Valois’ powers,
Had a second time been ours.
A gentle daughter of thy line,
Edward, lays her dust with thine.

‘ Thou, Elizabeth, art here ;
Thou to whom all griefs were
known ;

Who wert placed upon the bier
In happier hour than on the throne.
Fatal daughter, fatal mother,
Raised to that ill-omen’d station,
Father, uncle, sons, and brother,
Mourn’d in blood her elevation ;

Woodville, in the realms of bliss,
To thine offspring thou may’st say,
Early death is happiness ;
And favour’d in their lot are they
Who are not left to learn below
That length of life is length of woe.
Lightly let this ground be prest—
A broken heart is here at rest.

‘ But thou, Seymour, with a greet-
ing,

Such as sisters use at meeting,
Joy, and Sympathy, and Love,
Wilt hail her in the seats above.
Like in loveliness were ye,
By a like lamented doom
Hurried to an early tomb !
While together, spirits blest,
Here your earthly relics rest,
Fellow angels shall ye be
In the angelic company.

‘ Henry, too, hath here his part ;
At the gentle Seymour’s side,
With his best-beloved bride,
Cold and quiet, here are laid
The ashes of that fiery heart.
Not with his tyrannic spirit
Shall our Charlotte’s soul inherit ;
No, by Fisher’s hoary head,
By More, the learned and the good,
By Katharine’s wrongs, and Bo-
leyn’s blood,

By the life so basely shed
Of the pride of Norfolk’s line,
By the axe so often red,
By the fire with martyrs fed,
Hateful Henry, not with thee
May her happy spirit be !

‘ And here lies one, whose tragic
name

A reverential thought may claim ;
The murdered monarch, whom the
grave,

Revealing its long secret, gave
Again to sight, that we might spy
His comely face, and waking eye ;
There, thrice fifty years, it lay,
Exempt from natural decay,

Unclosed

Unclosed and bright, as if to say,
A plague, of bloodier, baser birth
Than that beneath whose rage he
bled,

Was loose upon our guilty earth ;—
Such awful warning from the
dead

Was given by that portentous eye—
Then it closed eternally.

‘ Ye, whose relics rest around,
Tenants of this funeral ground ;
Even in your immortal spheres,
What fresh yearnings will ye feel
When this earthly guest appears !
Us she leaves in grief and tears ;
But to you will she reveal
Tidings of old England’s weal ;

Of a righteous war pursued
Long, through evil and through good,
With unshaken fortitude ;
Of peace, in battle twice achiev’d ;
Of her fiercest foe subdued,
And Europe from the yoke relieved,
Upon that Brabantine plain.

Such the proud, the virtuous story,
Such the great, the endless glory,
Of her father’s splendid reign,
He, who wore the sable mail,
Might, at this heroic tale,
Wish himself on earth again.

‘ One who reverently, for thee,
Raised the strain of bridal verse,
Flower of Brunswick ! mournfully
Lays a garland on thy herse.’

As we can hardly flatter ourselves with the notion that we have many very juvenile readers, we must hold ourselves excused from quoting any specimens of the food for ‘the young idea’ presented in the Christmas Box. As at children’s balls, however, it is not unusual to have a side-table, where mammas and aunts are treated with grilled pullets and mulled wines, while the juvenile guests rejoice themselves over the more conspicuous array of jellies and syllabubs, so Mr. Croker has found room in his tiny pages for a few pieces both of prose and verse, which we might very safely offer to the gravest of the reading public. For example, there is a song on the hero of Killykrankie, by Sir Walter Scott, which, we doubt not, will be almost as popular as any song he ever wrote :—

‘ To the Lords of Convention, ’twas Clavers who spoke,
Ere the king’s crown go down, there are crowns to be broke ;
So each cavalier, who loves honour and me,
Let him follow the bonnet of bonnie Dundee.

Come, fill up my cup, come fill up my can,
Come, saddle my horses, and call up my men ;
Come, open the West-port, and let me gae free,
And its room for the bonnets of bonnie Dundee.

Dundee he is mounted—he rides up the street,
The bells are rung backwards, the drums they are beat ;
But the provost, douse man, said, “ Just e’en let him be,
The town is weel quit of that dei’l of Dundee.”

Come, fill up, &c.

As he rode down the sanctified bends of the Bow,
Each carline was flyting and shaking her pow ;
But some young plants of grace—they look’d couthie and slee,
Thinking—Luck to thy bonnet, thou bonnie Dundee.

Come, fill up, &c.

With

With sour-featured saints the Grass-market was pang'd,
As if half the west had set tryste to be hang'd ;
There was spite in each face, there was fear in each e'e,
As they watch'd for the bonnet of bonnie Dundee.

Come, fill up, &c.

These cowl's of Kilmarnock had spits and had spears,
And lang-hafted gullies to kill cavaliers ;
But they shrunk to close-heads, and the causeway left free,
At a toss of the bonnet of bonnie Dundee.

Come, fill up, &c.

He spurr'd to the foot of the high castle rock,
And to the gay Gordon he gallantly spoke—
“ Let Mons Meg and her marrows three volleys let flee,
For love of the bonnets of bonnie Dundee.”

Come, fill up, &c.

The Gordon has ask'd of him whither he goes—
“ Wheresoever shall guide me the spirit of Montrose ;
Your Grace in short space shall have tidings of me,
Or that low lies the bonnet of bonnie Dundee.

Come, fill up, &c.

“ There are hills beyond Pentland, and streams beyond Forth,
If there's lords in the Southland, there's chiefs in the North ;
There are wild dunnie-wassels, three thousand times three,
Will cry *hoigh!* for the bonnet of bonnie Dundee.

Come, fill up, &c.

“ Away to the hills, to the woods, to the rocks,
Ere I own a usurper, I'll couch with the fox ;
And tremble, false Whigs, though triumphant ye be,
You have not seen the last of my bonnet and me.”

Come, fill up, &c.

He waved his proud arm, and the trumpets were blown,
The kettle drums clash'd, and the horsemen rode on,
Till on Ravelston-craigs and on Clermiston lee
Died away the wild war-note of bonnie Dundee.

Come, fill up my cup, come, fill up my can,

Come, saddle my horses, and call up my men ;

Fling all your gates open, and let me gae free,

For 'tis up with the bonnets of bonnie Dundee.’

That celebrated wit and humourist of our day, Mr. Theodore Hook, has supplied the same juvenile Souvenir with an effusion in verse, which, that our quotations may end gaily, we shall take the liberty of transcribing.

‘ *Cautionary Verses to Youth of both Sexes.*

‘ My readers may know that to all the editions of Entick's Dictionary, commonly used in schools, there is prefixed “ A Table of Words that are alike, or nearly alike, in Sound, but different in Spell-

ing and Signification." It must be evident that this table is neither more nor less than an early provocation to punning ; the whole mystery of which vain art consists in the use of words, the sound and sense of which are at variance. In order, if possible, to check any disposition to punning in youth, which may be fostered by this manual, I have thrown together the following adaptation of Entick's hints to young beginners, hoping thereby to afford a warning, and exhibit a deformity to be avoided, rather than an example to be followed ; at the same time showing the caution children should observe in using words which have more than one meaning.

' My little dears, who learn to read, pray early learn to shun
That very silly thing indeed which people call a pun :
Read Entick's Rules, and 'twill be found how simple an offence
It is, to make the selfsame sound afford a double sense.
For instance, *ale* may make you *ail*, your *aunt* an *ant* may kill,
You in a *vale* may buy a *veil*, and *Bill* may pay the *bill*.
Or if to France your bark you steer, at Dover, it may be,
A *peer* appears upon the *pier*, who, blind, still goes to sea.
Thus one might say, when to a treat good friends accept our greeting,
'Tis *meet* that men who *meet* to eat should eat their *meat* when meeting.
Brawn on the *board's* no *bore* indeed, although from *boar* prepared :
Nor can the *fowl*, on which we feed, *foul* feeding be declared.
Thus *one* ripe fruit may be a *pear*, and yet be *pared* again,
And still be *one*, which seemeth rare until we do explain.
It therefore should be all your aim to speak with ample care ;
For who, however fond of game, would choose to swallow *hair*?
A fat man's *gait* may make us smile, who has no *gate* to close ;
The farmer sitting on his *stile* no *stylish* person knows :
Perfumers men of *scents* must be ; some *Scilly* men are bright ;
A *brown* man oft *deep read* we see, a *black* a wicked *wight*.
Most wealthy men good *manors* have, however vulgar they ;
And actors still the harder slave, the oftener they *play* :
So poets can't the *baize* obtain, unless their tailors choose ;
While grooms and coachmen, not in vain, each evening seek the *Mews*.
The *dyer*, who by *dying* lives, a *dire* life maintains ;
The glazier, it is known, receives his profits from his *panes* :
By gardeners *thyme* is tied, 'tis true, when spring is in its prime ;
But *time* or *tide* won't wait for you if you are *tied* for *time*.
Then now you see, my little dears, the way to make a pun ;
A trick which you, through coming years, should sedulously shun :
The fault admits of no defence ; for wheresoe'er 'tis found,
You sacrifice the *sound* for *sense* ; the *sense* is never *sound*.
So let your words and actions too one single meaning prove,
And, just in all you say or do, you'll gain esteem and love :
In mirth and play no harm you'll know, when duty's task is done ;
But parents ne'er should let ye go 'unpunished for a *pun*.'

We

We suppose there are few who, having read some of these extracts, will refuse to join in the question, Why, when there are in the country men able and willing to contribute such things to literary pocket-books, there is no one production of this class which it is possible to point out as distinguished throughout for its literary excellence? Are the classics of our age to continue to see their beautiful fragments doled out year after year in the midst of such miserable and mawkish trash as fills at least nineteen pages out of every twenty in the best of the gaudy duodecimos now before us? It is admitted on every hand that there are few good painters among us, and very few good engravers; and it is admitted by all but the editors of the 'pretty pocket-books'* themselves, that there are not many good writers. Why should publishers of eminence go on year after year encouraging that busy mediocrity in letters, which even the humblest of their brethren would blush to patronize in the arts? Why should not some one bookseller make the endeavour at least to combine the efforts of a few of the masters, and present us with the result, undebased by any admixture of those vulgar materials, of which the utmost that can be said is, that fine prints, and a small sprinkling of true poetry are able to carry off a certain number of copies of the books they load and deform—in spite of them?

They are running a race that their German brothers of the trade have run before them, and in which, we beg leave to inform them, more publishers have been ruined than in almost any other literary speculation of modern times. Success under the present system depends on the merest chances—coming out a week or two sooner than a rival—at best, the luck of procuring leave to engrave some particular picture, or a few scraps from the portfolios of men of letters, who take no sort of interest in the works in which these are to be all but buried. These pocket-books are, in fact, ornamented annual magazines. Why should not the history of the monthly magazines afford sound hints as to the proper—we mean, of course, the ultimately profitable method of getting them up?

There is nothing so serviceable to the public as competition; but why should all the coaches take the very same road, when there are twenty that might conduct with equal certainty, and not very dissimilar speed, to the wished-for goal?

Why should not different publishers choose different departments, both of art and literature? Why should we not have an ornamented annual magazine of antiquities; another of natural history; a third of poetry; a fourth of biography; a fifth, perhaps,

* One of these gentlemen has given us, by way of 'embellishment,' fac-similes of the autographs of, we think, *thirty* living English poets. O fortunati nimium, sua si bona norint, *Anglicola!*

of romance; and why, above all things, should we not have one in which the writing should refer strictly to the fine arts of this country?

We scatter these suggestions, in the hope that some one of them, at least, may be taken up and acted on.

At present, the best literary pocket-book is like a room in Somerset-house, containing here and there a fine picture, but covered in the main with daubs. It is very well to walk through the exhibition; but who would wish to give house-room to half the things he sees there, even if he could have them for nothing?

ART. V.—*Narrative of a Journey through the Upper Provinces of India, from Calcutta to Bombay.* By the late Reginald Heber, D.D., Lord Bishop of Calcutta. 2 vols. 4to. London.

OF all the foreign possessions of England, India is, we think, the most important; assuredly, it is the most interesting. A body of our countrymen are employed there, whose zeal, talents, and accomplishments are beyond praise—a set of functionaries, civil and military, whose general deserts have not been surpassed in the history of any independent state, ancient or modern; while, to seek for any parallel example in colonial annals, would, it is admitted on all hands, be vain and ridiculous. Literature of various kinds is widely and profoundly cultivated among a large portion of these meritorious officers, during their stay in the East; and not a few of them are every year returning to spend the afternoon of life, in well-earned competence and leisure, in their own country. Under such circumstances, it is impossible not to reflect, without some wonder, that the English library is to this hour extremely poor in the department of books descriptive of the actual appearances of men and things in India; of the scenery of regions where almost every element of the beautiful and the sublime has been scattered with the broadest lavishness of nature's bounty; of cities, on the mere face of which one of the most wonderful of all human histories is written, through all its changes, in characters that he who runs may read—where the monuments of Hindoo, Moslem, and English art and magnificence may be contemplated side by side; of manners, amongst which almost every possible shape and shade of human civilization finds its representative; where we may trace our species, step by step, as in one living panorama, from the lowest depths of barbarian and pagan darkness, up to the highest refinements of European society, and the open day-light of protestant christianity.

This poverty, where so much wealth might have been expected,
is,

is, nevertheless, easy enough to account for. The great majority of our Anglo-Indian adventurers leave their native land very early in life, and become accustomed to Indian scenery and manners before the mind is sufficiently opened and calmed for considering them duly. Ere such men begin to think of describing India, they have lost the European eyes on which its picturesque features stamp the most vivid impression. When they set about the work, they do pretty much as natives of the region might be expected to do—that is, in writing for people at home, they omit, as too obvious and familiar to be worthy of special notice, exactly those circumstances which, if they could place themselves in the situation of their readers, they would find it most advantageous to dwell upon. They give us the picture, without its foreground—the scholia, without the text. The literary sin that most easily besets them is that capital error of *taking for granted*; and how fatal that error is, even where materials are most copious, and talents not unworthy of such materials employed on them, may be seen by any one who reads Pandurang Hari and the Zenana,—novels which, but for this radical defect, might have been almost as interesting and popular as Hajji Baba.

When men of riper years and experience repair to these regions, they go in the discharge of important functions, which commonly confine the field of personal observation to narrow limits, and which always engross so much time, that it is no wonder they should abstain from supererogatory labour of any sort. Those who under such circumstances have been led by extraordinary elasticity of mind to steal time for general literature from the hours of needful repose, have, in most instances, paid dearly for their generous zeal. Very few of those distinguished victims, however, have bestowed any considerable portion of their energies on the particular department which we have been alluding to. The history and antiquities of Indian mythology, legislation, and philosophy have appeared worthier of such high-aimed ambition; and he who once plunges fairly into that *mare magnum* of romantic mystery, is little likely to revisit, with all his vigour about him, the clearer, and, perhaps, with all reverence be it said, the more useful stream of week-day observation and living custom. It would be below the dignity of these learned moonshees and pundits to quit their Sanscrit and Persic lore, for the purpose of enlightening ignorant occidentals in regard to the actual cities and manners of Eastern men.

There is a circumstance of another kind, which it would be absurd to overlook. The intercourse which takes place between distinguished English functionaries in the military and civil service of the Company and the upper classes of the natives, is and must be

be accompanied, on the side of the latter, with many feelings of jealousy. It seldom wears even the slightest appearance of familiarity, except in the chief seats of government; and there, as might be supposed, the natives are rarely to be seen now-a-days in their pure and unmixed condition, either as to real character or as to external manners. Exceptions of course there are to this rule, as to most others; but we believe they are very rare. Of recent years, Sir John Malcolm furnishes by far the most remarkable instance;—but they who read Bishop Heber's account of Sir John's personal qualifications will be little disposed to draw any general inference from such an example.

It is strange, but true, that only two English gentlemen have as yet travelled in India completely as volunteers—Lord Valentia, and a young man of fortune, whom Bishop Heber met with at Delhi; and who is still, we believe, in the east. Perhaps, were more to follow the example, the results might be less satisfactory than one would at first imagine. Orientals have no notion of people performing great and laborious journeys from motives of mere curiosity; and we gather, that when such travellers do appear in India, they are not unlikely to be received with at least as much suspicion as any avowed instruments of the government.

Considering the lamented prelate whose journals are now before us merely as a traveller, he appears to us to have carried to India habits and accomplishments, and to have traversed her territories under circumstances, more advantageous than any other individual, the results of whose personal observation have as yet been made public. He possessed the eye of a painter and the pen of a poet; a mind richly stored with the literature of Europe, both ancient and modern; great natural shrewdness and sagacity; and a temper as amiable and candid as ever accompanied and adorned the energies of a fine genius. He had travelled extensively in his earlier life, and acquired, in the provinces of Russia and Turkey especially, a stock of practical knowledge, that could not fail to be of the highest value to him in his Indian peregrinations. His views were, on all important subjects, those of one who had seen and read much, and thought more—liberal, expansive, worthy of a philosopher and a statesman. In the maturity of manhood he retained for literature and science the ardent zeal of his honoured youth. The cold lesson, *nil admirari*, had never been able to take hold on his generous spirit. Religion was the presiding influence; but his religion graced as well as heightened his admirable faculties; it employed and ennobled them all.

The character in which he travelled gave him very great opportunities and advantages of observation. His high rank claimed respect,

respect, and yet it was of a kind that could inspire no feelings of personal jealousy or distrust; this the event proved, whatever might have been anticipated. The softness and grace of his manners; a natural kindliness that made itself felt in every look, gesture, and tone; and an habitual elegance, with which not one shade of pride, haughtiness, or vanity ever mingled—these, indeed, were qualities which must have gone far to smooth the paths before him, in whatever official character he had appeared. As it was, they inspired everywhere both love and reverence for the representative of our church. Many will hear with surprise, none, we think, without pleasure, that his sacred office, where it was properly explained, even in the remotest provinces, received many touching acknowledgments. There was no bigotry about him, to check the influence of his devout zeal. In quitting one of the principal seats of Hindoo superstition, we find him concluding his lamentation over the darkness of the atmosphere with an avowal of his hope and belief that ‘God, nevertheless, may have much people in this city.’ And who will not be delighted to learn that this wise and charitable spirit met with its reward;—that learned doctors, both Moslem and Brahmins,—men who would have shrunk from the vehement harangues of half-educated zealots, however sincere and excellent,—were eager to hear a mild and accomplished scholar reason of life, death, and the judgment to come; and that the poor peasantry often flocked to him, as he passed on his way, to beg, not for medicines only, but for the prayers of the holy stranger.

For the unwearied assiduity with which the bishop discharged all professional duties in his immense diocese, and cultivated every branch of strictly professional knowledge, we may refer to the brief sketch of his life which appeared in a recent number of this journal.* The *correspondence* included in the volumes now before us will illustrate and complete that part of his history. By the favour of one of his oldest and most intimate friends and companions†, we were permitted to enrich the Article to which we have alluded with some specimens of his letters written in India, which gave, we believe, unmixed delight to all our readers; and from these alone it might be gathered, that the mere literary activity of the bishop, while in India, would have been something remarkable, even had his professional avocations been not the hundredth part of what they really amounted to. The publication of this work will, however, strengthen that impression far beyond what any person, but one, could possibly have anticipated at the time when our paper made its appearance. The

* Quarterly Review, No. LXX.† The Rt. Hon. Robert Wilmot Horton.
Journal,

Journal, which occupies the greater part of the book, would of itself appear more than sufficient to have occupied the whole time that Heber spent in his diocese. It was not written with any view of immediate publication, if, indeed, the bishop contemplated publishing it at all. It forms, nevertheless, a monument of talent, sufficient, singly and alone, to establish its author in a very high rank of English literature. It is one of the most delightful books in the language; and will, we cannot doubt, command popularity, as extensive and as lasting as any book of travels that has been printed in our time. Certainly, no work of its class that has appeared since Dr. Clarke's can be compared to it for variety of interesting matter, still less for elegance of execution. The style, throughout easy, graceful, and nervous, carries with it a charm of freshness and originality, not surpassed in any personal *memoirs* with which we are acquainted. The secret is, that we have before us a noble and highly cultivated mind, pouring itself out with openness and candour, in the confidence of the most tender affection—for the journal is addressed to Mrs. Heber. In his description of India, one of the most *loveable* of men has unconsciously given us also a full-length portrait of himself.

The bishop, luckily for his English readers—(for even a Heber might have written about India in a style less adapted for them, had he deferred the task)—seems to have begun this work the very day that he entered the Hooghly: he landed in the course of the evening at a small village, one, he was told, that had been but rarely visited by Europeans, where he was conducted to a temple of Mahadeo:—

‘The greenhouse-like smell and temperature of the atmosphere which surrounded us, the exotic appearance of the plants and of the people, the verdure of the fields, the dark shadows of the trees, and the exuberant and neglected vigour of the soil, teeming with life and food, neglected, as it were, out of pure abundance, would have been striking under any circumstances: they were still more so to persons just landed from a three months’ voyage; and to me, when associated with the recollection of the objects which have brought me out to India, the amiable manners and countenances of the people, contrasted with the symbols of their foolish and polluted idolatry now first before me, impressed me with a very solemn and earnest wish that I might in some degree, however small, be enabled to conduce to the spiritual advantage of creatures so goodly, so gentle, and now so misled and blinded. “*Angeli forent, si essent Christiani!*” As the sun went down, many monstrous bats, bigger than the largest crows I have seen, and chiefly to be distinguished from them by their indented wings, unloosed their hold from the palm-trees, and sailed slowly around us. They might have been supposed the guardian genii of the pagoda.’—
vol. i., pp. 13, 14.

The

The bishop's first impressions concerning the outward appearance of the natives themselves, must be exceedingly interesting :

'Two observations struck me forcibly; first, that the deep bronze tint is more naturally agreeable to the human eye than the fair skins of Europe, since we are not displeased with it even in the first instance, while it is well known that to them a fair complexion gives the idea of ill health, and of that sort of deformity which in our eyes belongs to an Albino. There is, indeed, something in a negro which requires long habit to reconcile the eye to him; but for this the features and the hair, far more than the colour, are answerable. The second observation was, how entirely the idea of indelicacy, which would naturally belong to such figures as those now around us if they were white, is prevented by their being of a different colour from ourselves. So much are we children of association and habit, and so instinctively and immediately do our feelings adapt themselves to a total change of circumstances; it is the partial and inconsistent change only which affects us.'—pp. 3, 4.

'The great difference in colour between different natives struck me much: of the crowd by whom we were surrounded, some were black as negroes, others merely copper-coloured, and others little darker than the Tunisines whom I have seen at Liverpool. Mr. Mill, the principal of Bishop's College, who, with Mr. Corrie, one of the chaplains in the Company's service, had come down to meet me, and who has seen more of India than most men, tells me that he cannot account for this difference, which is general throughout the country, and everywhere striking. It is not merely the difference of exposure, since this variety of tint is visible in the fishermen who are naked all alike. Nor does it depend on caste, since very high-caste Brahmins are sometimes black, while Pariahs are comparatively fair. It seems, therefore, to be an accidental difference, like that of light and dark complexions in Europe, though where so much of the body is exposed to sight, it becomes more striking here than in our own country.'—pp. 7, 8.

'Most of the Hindoo idols are of clay, and very much resemble in composition, colouring, and execution, though of course not in form, the more paltry sort of images which are carried about in England for sale by the Lago di Como people. At certain times of the year, great numbers of these are in fact hawked about the streets of Calcutta in the same manner, on men's heads. This is before they have been consecrated, which takes place on their being solemnly washed in the Ganges by a Brahmin Pundit. Till this happens, they possess no sacred character, and are frequently given as toys to children, and used as ornaments of rooms, which when hallowed they could not be, without giving great offence to every Hindoo who saw them thus employed. I thought it remarkable that though most of the male deities are represented of a deep brown colour, like the natives of the country, the females are usually no less red and white than our porcelain beauties, as exhibited in England. But it is evident
from

from the expressions of most of the Indians themselves, from the style of their amatory poetry, and other circumstances, that they consider fairness as a part of beauty, and a proof of noble blood. They do not like to be called black, and though the Abyssinians, who are sometimes met with in the country, are very little darker than they themselves are, their jest-books are full of taunts on the charcoal complexion of the "Hubshee." Much of this has probably arisen from their having been so long subjected to the Moguls, and other conquerors originally from more northern climates, and who continued to keep up the comparative fairness of their stock by frequent importation of northern beauties. India, too, has been always, and long before the Europeans came hither, a favourite theatre for adventurers from Persia, Greece, Tartary, Turkey, and Arabia, all white men, and all in their turn possessing themselves of wealth and power. These circumstances must have greatly contributed to make a fair complexion fashionable. It is remarkable, however, to observe how surely all these classes of men in a few generations, even without any intermarriage with the Hindoos, assume the deep olive tint, little less dark than a negro, which seems natural to the climate. The Portuguese natives form unions among themselves alone, or if they can, with Europeans. Yet the Portuguese have, during a three hundred years' residence in India, become as black as Caffres. Surely this goes far to disprove the assertion, which is sometimes made, that climate alone is insufficient to account for the difference between the negro and the European. It is true, that in the negro are other peculiarities which the Indian has not, and to which the Portuguese colonist shows no symptom of approximation, and which undoubtedly do not appear to follow so naturally from the climate as that swarthinness of complexion which is the sole distinction between the Hindoo and the European. But if heat produces one change, other peculiarities of climate may produce other and additional changes, and when such peculiarities have three or four thousand years to operate in, it is not easy to fix any limits to their power. I am inclined, after all, to suspect that our European vanity leads us astray in supposing that our own is the primitive complexion, which I should rather suppose was that of the Indian, half way between the two extremes, and perhaps the most agreeable to the eye and instinct of the majority of the human race. A colder climate, and a constant use of clothes, may have blanched the skin as effectually as a burning sun and nakedness may have tanned it; and I am encouraged in this hypothesis by observing that of animals the natural colours are generally dusky and uniform, while whiteness and a variety of tint almost invariably follow domestication, shelter from the elements, and a mixed and unnatural diet. Thus while hardship, additional exposure, a greater degree of heat, and other circumstances with which we are unacquainted, may have deteriorated the Hindoo into a negro, opposite causes may have changed him into the progressively lighter tints of the Chinese, the Persian, the Turk, the Russian, and the Englishman.'—p. 53—55.

The

The bishop's description of Calcutta and the neighbouring country is highly entertaining; but on this we do not purpose to dwell, being more attracted by his sketches of things 'native, and to the manner born;' we must, however, make room for his introduction to the durbar or native levee of the Governor-general—

'which all the principal native residents in Calcutta were expected to attend, as well as the vakeels from several Indian princes.—I found, (says he,) on my arrival the levee had begun, and that Lord Amherst, attended by his aides-du-camp and Persian secretary, had already walked down one side, where the persons of most rank, and who were to receive "khelâts," or honorary dresses, were stationed. I therefore missed this ceremony, but joined him and walked round those to whom he had not yet spoken, comprising some persons of considerable rank and wealth, and some learned men, travellers from different eastern countries, who each in turn addressed his compliments, or petitions, or complaints to the governor. There were several whom we thus passed who spoke English not only fluently but gracefully. Among these were Baboo Ramchunder Roy and his four brothers, all fine, tall, stout young men, the eldest of whom is about to build one of Mr. Shakespear's rope-bridges over the Caramnasa.*

'After Lord Amherst had completed the circle, he stood on the lower step of the throne, and the visitors advanced one by one to take leave. First came a young raja of the Rajapootana district, who had received that day the investiture of his father's territories, in a splendid brocade khelât and turban; he was a little, pale, shy-looking boy, of twelve years old. Lord Amherst, in addition to these splendid robes, placed a large diamond aigrette in his turban, tied a string of valuable pearls round his neck, then gave him a small silver bottle of attar of roses, and a lump of pawn, or betel, wrapped up in a plantain leaf. Next came forwards the "vakeel," or envoy of the Maharaja Scindeah, also a boy, not above sixteen, but smart, self-possessed, and dandy-looking. His khelât and presents were a little, and but a little, less splendid than those of his precursor. Then followed Oude, Nag-poor, Nepaul, all represented by their vakeels, and each in turn honoured by similar, though less splendid, marks of attention. The next was a Persian khân, a fine military-looking man, rather corpulent, and

* Of these curious bridges, the bishop elsewhere says, 'Their principle differs from that of chain-bridges, in the centre being a little elevated, and in their needing no abutments. It is in fact an application of a ship's standing rigging to a new purpose, and it is not even necessary that there should be any foundation at all, as the whole may be made to rest on flat timbers, and, with the complete apparatus of cordage, iron, and bamboos, may be taken to pieces and set up again in a few hours, and removed from place to place by the aid of a few camels and elephants. One of these over a torrent near Benares, of one hundred and sixty feet span, stood a severe test during last year's inundation, when, if ever, the cordage might have been expected to suffer from the rain, and when a vast crowd of neighbouring villagers took refuge on it as the only safe place in the neighbourhood, and indeed almost the only object which continued to hold itself above the water,'—p. 65.

of a complexion not differing from that of a Turk, or other southern Europeans, with a magnificent black beard, and a very pleasing and animated address. A vakeel from Sind succeeded, with a high red cap, and was followed by an Arab, handsomely dressed, and as fair nearly, though not so good-looking as the Persian. These were all distinguished, and received each some mark of favour. Those who followed had only a little attar poured on their handkerchiefs, and some pawn. On the whole it was an interesting and striking sight, though less magnificent than I had expected, and less so I think than the levee of an European monarch. The sameness of the greater part of the dresses (white muslin) was not sufficiently relieved by the splendour of the few *khelâts*; and even these, which were of gold and silver brocade, were in a great measure eclipsed by the scarlet and blue uniforms, gold lace, and feathers, of the English. One of the most striking figures was the governor-general's native *aid-du-camp*, a tall, strong-built, and remarkably handsome man, in the flower of his age, and of a countenance at once kind and bold. His dress was a very rich hussar uniform, and he advanced last of the circle, with the usual military salute; then, instead of the offering of money which each of the rest made, he bared a small part of the blade of his sabre, and held it out to the governor. The attar he received, not on his handkerchief, but on his white cotton gloves. I had on former occasions noticed this soldier from his height, striking appearance, and rich uniform. He is a very respectable man, and reckoned a good officer.'

We find the following entry under date April 21 :—

'I entered into my forty-second year. God grant that my future years may be as happy, if he sees good! and better, far better spent than those which are gone by! This day I christened my dear little Harriet. God bless and prosper her with all earthly and heavenly blessings! We had afterwards a great dinner and evening party, at which were present the governor and Lady Amherst, and nearly all our acquaintance in Calcutta. To the latter I also asked several of the wealthy natives, who were much pleased with the attention, being, in fact, one which no European of high station in Calcutta had previously paid to any of them. Hurree Mohun Thakoor observing "What an increased interest the presence of females gave to our parties," I reminded him that the introduction of women into society was an ancient Hindoo custom, and only discontinued in consequence of the Mussulman conquest. He assented with a laugh, adding, however, "It is too late for us to go back to the old custom now." Rhadacant Deb, who overheard us, observed more seriously, "It is very true that we did not use to shut up our women till the times of the Mussulmans. But before we could give them the same liberty as the Europeans, they must be better educated." I introduced these Baboos to the chief-justice, which pleased them much, though, perhaps, they were still better pleased with my wife herself presenting them pawn, rose-water, and attar of roses before they went, after the native custom.'

It

It was on the 15th of the following June that the bishop left Calcutta for his long and arduous visitation of the Upper Provinces. He was now separated from his family, and felt sorely the loss of that 'atmosphere of home,' as he beautifully calls it, which he had hitherto carried about with him. The course and objects of the journey have been already sufficiently pointed out in these pages;* so that our extracts will be intelligible to all our readers. For many months, it will be remembered, the bishop and his companions travelled chiefly by water—merely landing when any duty was to be performed, or any object of special interest solicited their attention.

'June 16.—A Bengalee boat is the simplest and rudest of all possible structures. It is decked over, throughout its whole length, with bamboo; and on this is erected a low light fabric of bamboo and straw, exactly like a small cottage without a chimney. This is the cabin, baggage-room, &c.; here the passengers sit and sleep, and here, if it be intended for a cooking-boat, are one or two small ranges of brick-work, like English hot-hearths, but not rising more than a few inches above the deck, with small, round, sugar-loaf holes, like those in a lime-kiln, adapted for dressing victuals with charcoal. As the roof of this apartment is by far too fragile for men to stand or sit on, and as the apartment itself takes up nearly two-thirds of the vessel, upright bamboos are fixed by its side, which support a kind of grating of the same material, immediately above the roof, on which, at the height probably of six or eight feet above the surface of the water, the boatmen sit or stand to work the vessel. They have, for oars, long bamboos, with circular boards at the end, a longer one of the same sort to steer with, a long rough bamboo for a mast, and one, or sometimes two sails, of a square form, (or rather broader above than below,) of very coarse and flimsy canvass. Nothing can seem more clumsy or dangerous than these boats. Dangerous I believe they are, but with a fair wind they sail over the water merrily. The breeze this morning carried us along at a good rate, yet our English-rigged brig could do no more than keep up with the cooking-boat.'—p. 84.

The bishop's amiable disposition led him, in his progress, to pay whatever attentions lay in his power to those dethroned princes, whose melancholy remains of pomp and grandeur are among the most interesting objects that any Indian traveller can meet with. A mere accident, however, (having landed to see a pagoda,) was the means of his first introduction to one of these personages. It was on the 18th of June, at Sibnibashi—the Sibnibas of Rennell (who has, however, placed it on the wrong bank of the river,)—that a priest of Rama, having been put into good humour by a handsome fee, for showing his temple, asked the bishop if he would like to see the Rajah's palace also.

' On my assenting, they led us to a really noble gothic gateway, overgrown with beautiful broad-leaved ivy, but in good preservation, and decidedly handsomer, though in pretty much the same style, with the "Holy Gate" of the Kremlin in Moscow. Within this, which had apparently been the entrance into the city, extended a broken but still stately avenue of tall trees, and on either side a wilderness of ruined buildings, overgrown with trees and brush-wood, which reminded Stowe of the baths of Caracalla, and me of the upper part of the city of Caffa. I asked who had destroyed the place, and was told Seraiah Dowla, an answer which (as it was evidently a Hindoo ruin) fortunately suggested to me the name of the Raja Kissen Chund. On asking whether this had been his residence, one of the peasants answered in the affirmative, adding that the raja's grand-children yet lived hard by. By this I supposed he meant somewhere in the neighbourhood, since nothing here promised shelter to any beings but wild beasts, and as I went along I could not help looking carefully before me, and thinking of Thalaba in the ruins of Babylon;

"Cautiously he trode and felt

The dangerous ground before him with his bow; . . .

The adder, at the noise alarmed,

Launched at the intruding staff her arrowy tongue."

Our guide meantime turned short to the right, and led us into what were evidently the ruins of a very extensive palace. Some parts of it reminded me of Conway Castle, and others of Bolton Abbey. It had towers like the former, though of less stately height, and had also long and striking cloisters of gothic arches, but all overgrown with ivy and jungle, roofless and desolate. Here, however, in a court, whose gateway had still its old folding doors on their hinges, the two boys whom we had seen on the beach came forward to meet us, were announced to us as the great grandsons of Raja Kissen Chund, and invited us very courteously in Persian, to enter their father's dwelling. I looked round in exceeding surprise. There was no more appearance of inhabitation than in Conway. Two or three cows were grazing among the ruins, and one was looking out from the top of a dilapidated turret, whither she had scrambled to browse on the ivy. The breech of a broken cannon, and a fragment of a mutilated inscription lay on the grass, which was evidently only kept down by the grazing of cattle; and the jackalls, whose yells began to be heard around us as the evening closed in, seemed the natural lords of the place. Of course, I expressed no astonishment, but said how much respect I felt for their family, of whose ancient splendour I was well informed, and that I should be most happy to pay my compliments to the raja, their father. They immediately led us up a short, steep, straight flight of steps, in the thickness of the wall of one of the towers, precisely such as that of which we find the remains in one of the gateways of Rhudlan Castle, assuring me that it was a very "good road;" and at the door of a little vaulted and unfurnished room like that which is shewn in Carnarvon Castle, as the queen's bed-chamber, we were received by

by the Raja Omichund, a fat, shortish man, of about forty-five, of rather fair complexion, but with no other clothes than his waistcloth and Brahminical string, and only distinguished from his vassals by having his forehead marked all over with alternate stripes of chalk, vermillion, and gold leaf. The boys had evidently run home to inform him of our approach, and he had made some preparation to receive us in durbar. His own musnud was ready, a kind of mattress, laid on the ground, on which, with a very harmless ostentation, he had laid a few trinkets, a gold watch, betel-nut box, &c. &c. Two old arm chairs were placed opposite for Stowe and me. The young rajas sat down at their father's right hand, and his naked domestics ranged themselves in a line behind him, with their hands respectfully folded. On the other side the Sotaburdar stood behind me; Stowe's servant took place behind him, and Abdullah between us as interpreter, which function he discharged extremely well, and which was the more necessary since, in strict conformity with court etiquette, the conversation passed in Persian. I confess I was moved by the apparent poverty of the representative of a house once very powerful, and paid him more attention than I perhaps might have done had his drawing-room presented a more princely style. He was exceedingly pleased by my calling him "Maha-rajah," or Great King, as if he were still a sovereign like his ancestors, and acknowledged the compliment by a smile, and a profound reverence. He seemed, however, much puzzled to make out my rank, never having heard (he said) of any "Lord Sahib," except the governor-general, while he was still more perplexed by the exposition of "Lord Bishop Sahib," which for some reason or other my servants always prefer to that of "Lord Padre." He apologized very civilly for his ignorance, observing that he had not been for many years in Calcutta, and that very few Sahibs ever came that way. I told him that I was going to Dacca, Benares, Delhi, and possibly Hurdwar; that I was to return in nine or ten months, and that should he visit Calcutta again, it would give me great pleasure if he would come to see me. He said he seldom stirred from home, but as he spoke, his sons looked at him with so much earnest and intelligible expression of countenance, that he added that "his boys would be delighted to see Calcutta and wait on me." He then asked very particularly of Abdullah in what street and what house I lived. After a short conversation of this kind, and some allusions on my part to his ancestors and their ancient wealth and splendour, which were well taken, we took leave, escorted to the gate by our two young friends, and thence by a nearer way through the ruins to our pinnace, by an elderly man, who said he was the Raja's "Mucktar," or chamberlain, and whose obsequious courtesy, high reverence for his master's family, and numerous apologies for the unprepared state in which we had found "the court," reminded me of old Caleb Balderstone.—p. 94—97.

We throw together a few detached passages, which may serve
to

to give some notion of the sort of scenery and adventures the bishop encountered in his voyage.

'June 22.—On the bank we found a dwarf mulberry tree, the first we have seen in India. A very handsome and sleek young bull, branded with the emblem of Siva on his haunches, was grazing in the green paddy (rice-field.) He crossed our path quite tame and fearless, and seeing some florin grass in Stowe's hand, coolly walked up to smell at it. These bulls are turned out when calves, on different solemn occasions, by wealthy Hindoos, as an acceptable offering to Siva. It would be a mortal sin to strike or injure them. They feed where they choose, and devout persons take great delight in pampering them. They are exceeding pests in the villages near Calcutta, breaking into gardens, thrusting their noses into the stalls of fruiterers and pastry-cooks' shops, and helping themselves without ceremony. Like other petted animals, they are sometimes mischievous, and are said to resent with a push of their horns any delay in gratifying their wishes.'

'June 27.—We passed, to my surprise, a row of no less than nine or ten large and very beautiful otters, tethered, with straw collars and long strings, to Bamboo stakes on the bank. Some were swimming about at the full extent of their strings, or lying half in and half out of the water, others were rolling themselves in the sun on the sandy bank, uttering a shrill whistling noise as if in play. I was told that most of the fishermen in this neighbourhood kept one or more of these animals, who were almost as tame as dogs, and of great use in fishing, sometimes driving the shoals into the nets, sometimes bringing out the larger fish with their teeth. I was much pleased and interested with the sight. It has always been a fancy of mine that the poor creatures whom we waste and persecute to death for no cause, but the gratification of our cruelty, might by reasonable treatment be made the sources of abundant amusement and advantage to us. The simple Hindoo shows here a better taste and judgment, than half the otter-hunting and badger-baiting gentry of England.'—pp. 119, 120.

'June 28.—The river continues a noble one, and the country bordering on it is now of a fertility and tranquil beauty, such as I never saw before. Beauty it certainly has, though it has neither mountain, nor waterfall, nor rock, which all enter into our notions of beautiful scenery in England. But the broad river, with a very rapid current, swarming with small picturesque canoes, and no less picturesque fishermen, winding through fields of green corn, natural meadows covered with cattle, successive plantations of cotton, sugar, and pawn, studded with villages and masts in every creek and angle, and backed continually (though not in a continuous and heavy line like the shores of the Hooghly) with magnificent peepul, banyan, bamboo, betel, and coco trees, affords a succession of pictures the most *riants* that I have seen, and infinitely beyond anything which I ever expected to see in Bengal. To add to our pleasure this day, we had a fine rattling breeze carrying us along against the stream, which it raised into a curl, at the rate of five miles an hour; and more than all, I heard from my wife.'—p. 123.

'July,

' *July 1.*—The noise of the Ganges is really like the sea. As we passed near a hollow and precipitous part of the bank, on which the wind set full, it told on my ear exactly as if the tide were coming in; and when the moon rested at night on this great, and, as it then seemed, this shoreless extent of water, we might have fancied ourselves in the cuddy of an Indiaman, if our cabin were not too near the water.'

' *Dacca, July 6.*—The Nawâb's carriage passed us, an old landau, drawn by four horses, with a coachman and postilion in red liveries, and some horse-guards in red also, with high ugly caps, like those of the old grenadiers, with gilt plates in front, and very ill mounted. The great men of India evidently lose in point of effect, by an injudicious and imperfect adoption of European fashions. An Eastern cavalier, with his turban and flowing robes, is a striking object; and an eastern prince on horseback, and attended by his usual train of white-staved and high-capped janizaries, a still more noble one; but an eastern prince in a shabby carriage, guarded by men dressed like an equestrian troop at a fair, is nothing more than ridiculous and melancholy. It is, however, but natural, that these unfortunate sovereigns should imitate, as far as they can, those costumes which the example of their conquerors has associated with their most recent ideas of power and splendour.'—pp. 145, 146.

'The Nawâb called this morning, according to his promise, accompanied by his eldest son. He is a good-looking elderly man, of so fair a complexion, as to prove the care with which the descendants of the Mussulman conquerors have kept up their northern blood. His hands, more particularly, are nearly as white as those of an European. He sat for a good while smoking his hookah, and conversing fluently enough in English, quoting some English books of history, and showing himself very tolerably acquainted with the events of the Spanish war, and the part borne in it by Sir Edward Paget. His son is a man of about thirty, of a darker complexion, and education more neglected, being unable to converse in English. The Nawâb told us of a fine wild elephant, which his people were then in pursuit of, within a few miles of Dacca. He said that they did not often come so near. He cautioned me against going amongst the ruins, except on an elephant, since tygers sometimes, and snakes always, abounded there. He asked me several pertinent questions as to the intended extent and object of my journey, and talked about a Greek priest, who, he said, wished to be introduced to me, and whom he praised as a very worthy, well-informed man. I asked him about the antiquities of Dacca, which he said were not very old, the city itself being a comparatively recent Mussulman foundation. He was dressed in plain white muslin, with a small gold tassel attached to his turban. His son had a turban of purple silk, ribbed with gold, with some jewels in it. Both had splendid diamond rings. I took good care to call the father "his highness," a distinction of which Mr. Master had warned me that he was jealous, and which he himself, I observed, was very careful always to pay him. At length pawn and attar of roses were brought to me,

and I rose to give them to the visitors. The Nawâb smiled, and said, "What, has your lordship learned our customs?" Our guests then rose, and Mr. Master gave his arm to the Nawâb to lead him down stairs. The staircase was lined with attendants with silver sticks, and the horse-guards, as before, were round the carriage; this was evidently second-hand, having the arms of its former proprietor still on the pannel, and the whole show was any thing but splendid. The Company's sepoy were turned out to present arms, and the Nawâb's own followers raised a singular sort of acclamation as he got into his carriage, reckoning up the titles of his family, "Lion of War!" "Prudent in Counsel!" "High and Mighty Prince," &c. &c. But the thing was done with little spirit, and more like the proclamations of a crier in an English court of justice, than a ceremony in which any person took an interest. I was, however, gratified throughout the scene by seeing the humane (for it was even more than good-natured) respect, deference, and kindness, which in every word and action Mr. Master showed to this poor humbled potentate. It could not have been greater, or in better taste, had its object been an English prince of the blood. Gradually adopting, as they are, much of the habits, customs, and, above all, the education, properly so called, of English noblemen, the future destinies of these native princes must be allowed to form a subject of very great interest, and no less importance.—pp. 146—148.

We find the Bishop honoured, on his first landing, by the attendance of certain officers bearing silver sticks, native badges of exalted rank, which were formerly adopted by many of the Company's superior officers, but which are now conceded to no Europeans in Bengal but the governor-general, the commander of the forces, the chief-justice, and the bishop of Calcutta. These emblems are granted or refused to the native houses, according to the view which the government takes of their pretensions and deserts, and are as eagerly coveted and canvassed for as the stars and ribbons of any European court. From the palace of the rajah of Dacca, the bishop proceeded to that of Meer Israf Ali, the chief Mahometan gentleman of that district.

'*July 20.*—He is said by Mr. Master to have been both extravagant and unfortunate, and therefore to be now a good deal encumbered. But his landed property still amounts to above three hundred thousand beghas, and his family is one of the best (as a private family) in India. He was himself absent at one of his other houses. But his two eldest sons had been very civil, and had expressed a hope that I would return their visit. Besides which, I was not sorry to see the inside of this sort of building. Meer Israf Ali's house is built round a courtyard, and looks very much like a dismantled convent, occupied by a corps of Uhlans. There are abundance of fine horses, crowds of shabby-looking servants in showy but neglected liveries, and on the whole a singular mixture of finery and carelessness. The two young men,

men, and a relation, as they said he was, who seemed to act as their preceptor and as their father's man of business, received me with some surprise, and were in truth marvellously dirty, and unfit to see company. They were, however, apparently flattered and pleased, and showed their good manners in offering no apologies, but leading me up a very mean staircase into their usual sitting-rooms, which were both better in themselves, and far better furnished than I expected from the appearance of things below. After the few first compliments, I had recourse to Abdullah's interpretation, and they talked very naturally, and rather volubly, about the fine sport their father would show me the next time I came into the country, he having noble covers for tygers, leopards, and even wild elephants. At last out came a wish for *silver sticks*! Their father, they said, was not in the habit of asking favours from government, but it was a shame that the baboos of Calcutta should obtain badges of nobility, while true *Seyyids*, descendants of the prophets, whose ancestors had never known what trade was, but had won with their swords from the idolaters the lands for which they now paid taxes to the Company, should be overlooked. I could promise them no help here, and reminded them that an old family was always respected whether it had silver sticks or no, and that an upstart was only laughed at for decorations which deceived nobody. "Yes," said the younger, "but our ancestors used to have silver sticks, and we have got them in the house at this day." I said if they could prove that, I thought that government would be favourable to their request, but advised them to consult Mr. Master, who was their father's intimate friend. We then parted, after their bringing pawn and rose water in a very antique and elegantly carved bottle, which might really have belonged to those days when their ancestors smote the idolaters. Mr. Master afterwards said, that if the Meer himself had been at home, I never should have been plagued with such topics; that he was a thorough gentleman, and a proud one, who wished for the silver sticks, but would never have asked the interest of a stranger.'

'*July 23.*—In the course of our halt this day, a singular and painfully interesting character presented himself in the person of a Musulman Fakir, a very elegantly formed and handsome young man, of good manners, and speaking good Hindoostanee, but with insanity strongly marked in his eye and forehead. He was very nearly naked, had a white handkerchief tied as an ornament round his left arm, a bright yellow rag hanging loosely over the other, a little cornelian ornament set in silver round his neck, a large chaplet of black beads, and a little wooden cup in his hand. He asked my leave to sit down on the bank to watch what we were doing, and said it gave his heart pleasure to see Englishmen; that he was a great traveller, had been in Bombay, Cabul, &c., and wanted to see all the world, wherein he was bound to wander as long as it lasted. I offered him alms, but he refused, saying, he never took money,—that he had had his meal that day, and wanted nothing. He sat talking wildly with the servants a little longer, when I again told Abdullah to ask him if I could do any thing

for him ; he jumped up, laughed, said " No pice ! " then made a low obeisance, and ran off, singing " La Illah ul Allah ! " His manner and appearance nearly answered to the idea of the Arab Mejnoun, when he ran wild for Leila.'—pp. 159, 160.

' *July 31.*—At a neighbouring village I saw an ape in a state of liberty, but as tame as possible, the favourite, perhaps the deity, certainly the sacred animal of the villagers. He was sitting in a little bush as we stopped (to allow the servants' boats to come up), and on smelling dinner, I suppose, for my meal was getting ready, waddled gravely down to the water's edge. He was about the size of a large spaniel, enormously fat, covered with long silky hair generally of a rusty lead colour, but on his breast a fine *shot* blue, and about his buttocks and thighs gradually waving into a deep orange ; he had no tail, or one so short that the hair concealed it ; he went on all fours only. I gave him some toast, and my sirdar-bearer (a Hindoo) sent him a leaf full of rice. I suspect he was often in the habit of receiving doles at this spot, which is the usual place for standing across a deep bay of the river, and I certainly have never yet seen a human Fakir in so good case. To ascend a tree must be to a hermit of his size a work of considerable trouble, but I suppose he does so at night for security, otherwise he would be a magnificent booty for the jackalls.'—p. 175.

About this stage of the progress, we find inserted in the Bishop's record two copies of verses, which we shall quote at length. To our fancy they are, in their kind, of exquisite merit ; and, indeed, to speak plainly, we consider the second of them as superior to any of Heber's poems previously published—even to ' Palestine.'

' If thou wert by my side, my love ! how fast would evening fall
In green Bengala's palmy grove, listening the nightingale !
If thou, my love ! wert by my side, my babies at my knee,
How gaily would our pinnace glide o'er Gunga's mimic sea !
I miss thee at the dawning grey, when, on our deck reclined,
In careless ease my limbs I lay, and woo the cooler wind.
I miss thee when by Gunga's stream my twilight steps I guide,
But most beneath the lamp's pale beam I miss thee from my side.
I spread my books, my pencil try, the lingering noon to cheer,
But miss thy kind approving eye, thy meek attentive ear.
But when of morn and eve the star beholds me on my knee,
I feel, though thou art distant far, thy prayers ascend for me.
Then on ! then on ! where duty leads, my course be onward still, !
O'er broad Hindostan's sultry meads, o'er bleak Almorah's hill.
That course, nor Delhi's kingly gates, nor wild Malwah detain,
For sweet the bliss us both awaits by yonder western main.
Thy towers, Bombay, gleam bright, they say, across the dark blue sea,
But ne'er were hearts so light and gay as then shall meet in thee !'

The other is entitled ' An Evening Walk in Bengal : ' we know few dead poets, and no living one, who might not be proud to own it :—

' Our task is done ! on Gunga's breast
The sun is sinking down to rest ;

And, moored beneath the tamarind bough,
Our bark has found its harbour now.

With

With furled sail, and painted side,
Behold the tiny frigate ride,
Upon her deck, 'mid charcoal gleams,
The Moslems' savoury supper steams,
While all apart, beneath the wood,
The Hindoo cooks his simpler food.
'Come walk with me the jungle through;
If yonder hunter told us true,
Far off, in desert dank and rude,
The tyger holds his solitude;
Nor (taught by recent harm to shun
The thunders of the English gun,)
A dreadful guest but rarely seen,
Returns to scare the village green.
Come boldly on! no venom'd snake
Can shelter in so cool a brake.
Child of the sun! he loves to lie
'Mid Nature's embers, parched and dry,
Where o'er some tower in ruin laid,
The peepul spreads its haunted shade;
Or round a tomb his scales to wreath,
Fit warder in the gate of death!
Come on! Yet pause! behold us now
Beneath the bamboo's arched bough,
Where, gemming oft that sacred gloom,
Glow the geranium's scarlet bloom,*
And winds our path through many a bower
Of fragrant tree and giant flower;
The ceiba's crimson pomp display'd
O'er the broad plantain's humbler shade,
And dusk anana's prickly blade;
While o'er the brake, so wild and fair,
The betel waves his crest in air.
With pendent train and rushing wings,
Aloft the gorgeous peacock springs;
And he, the bird of hundred dyes,
Whose plumes the dames of Ava prize.
So rich a shade, so green a sod,
Our English fairies never trod;
Yet who in Indian bow'r has stood,
But thought on England's "good green
wood?"

We believe we have now quoted quite enough to convey no inadequate notion of the execution of this work: but, ere we hold our hand, we must make room for the Bishop's most picturesque description of the great ecclesiastical capital of India—Benares, a city 'more entirely and characteristically eastern than any he had seen before.'

'No Europeans live in the town, nor are the streets wide enough for a wheel-carriage. Mr. Frazer's gig was stopped short almost in its entrance, and the rest of the way was passed in tonjons, through alleys so crowded, so narrow, and so winding, that even a tonjont

And bless'd, beneath the palmy shade,
Her hazel and her hawthorn glade,
And breath'd a pray'r, (how oft in vain!)
To gaze upon her oaks again?'

'A truce to thought! the jackall's cry
Resounds like sylvan revelry;
And through the trees, yon failing ray
Will scantily serve to guide our way.
Yet mark! as fade the upper skies,
Each thicket opes ten thousand eyes.
Before, beside us, and above,
The fire-fly lights his lamp of love,
Retreating, chasing, sinking, soaring,
The darkness of the copse exploring;
While to this cooler air confest,
The broad Dhatura bares her breast,
Of fragrant scent and virgin white,
A pearl around the locks of night!
Still as we pass in softened hum,
Along the breezy alleys come
The village song, the horn, the drum.
Still as we pass, from bush and briar,
The shrill cigala strikes his lyre;
And, what is she whose liquid strain
Thrills through yon copse of sugar-
cane?

I know that soul-entrancing swell!
It is—it must be—Philomel!

'Enough, enough, the rustling trees
Announce a shower upon the breeze,—
The flashes of the summer sky
Assume a deeper, ruddier dye;
Yon lamp that trembles on the stream,
From forth our cabin sheds its beam;
And we must early sleep, to find
Betimes the morning's healthy wind. |
But oh! with thankful hearts confess
Ev'n here there may be happiness;
And He, the bounteous Sire, has given
His peace on earth—his hope of heaven!'

p. 185—187.

* A shrub whose deep scarlet flowers very much resemble the geranium, and thence called the Indian geranium.

† A species of litter.

sometimes passed with difficulty. The houses are mostly lofty, none I think less than two stories, most of three, and several of five or six, a sight which I now for the first time saw in India. The streets, like those of Chester, are considerably lower than the ground-floors of the houses, which have mostly arched rows in front, with little shops behind them. Above these, the houses are richly embellished with verandahs, galleries, projecting oriel windows, and very broad and overhanging eaves, supported by carved brackets. The number of temples is very great, mostly small and stuck like shrines in the angles of the streets, and under the shadow of the lofty houses. Their forms, however, are not ungraceful, and they are many of them entirely covered over with beautiful and elaborate carvings of flowers, animals, and palm-branches, equalling in minuteness and richness the best specimens that I have seen of Gothic or Grecian architecture. The material of the buildings is a very good stone, from Chunar, but the Hindoos here seem fond of painting them a deep red colour, and, indeed, of covering the more conspicuous parts of their houses with paintings in gaudy colours of flower-pots, men, women, bulls, elephants, gods and goddesses, in all their many-formed, many-headed, many-handed, and many-weaponed varieties. The sacred bulls devoted to Siva, of every age, tame and familiar as mastiffs, walk lazily up and down these narrow streets, or are seen lying across them, and hardly to be kicked up (any blows, indeed, given them must be of the gentlest kind, or woe be to the profane wretch who braves the prejudices of this fanatic population) in order to make way for the tonjon. Monkeys sacred to Hunimaun, the divine ape who conquered Ceylon for Rama, are in some parts of the town equally numerous, clinging to all the roofs and little projections of the temples, putting their impertinent heads and hands into every fruiterer's or confectioner's shop, and snatching the food from the children at their meals. Faqueer's houses, as they are called, occur at every turn, adorned with idols, and sending out an unceasing tinkling and strumming of vinas, biyals, and other discordant instruments; while religious mendicants of every Hindoo sect, offering every conceivable deformity, which chalk, cow-dung, disease, matted locks, distorted limbs and disgusting and hideous attitudes of penance can show, literally line the principal streets on both sides. The number of blind persons is very great (I was going to say of lepers also, but I am not sure whether the appearance on the skin may not have been filth and chalk); and here I saw repeated instances of that penance of which I had heard much in Europe, of men with their legs or arms voluntarily distorted by keeping them in one position, and their hands clenched till the nails grew out at the backs. Their pitiful exclamations as we passed, "Agha Sahib," "Topee Sahib," (the usual names in Hindostan for an European,) "khana ke waste kooch cheez do," "give me something to eat," soon drew from me what few pice I had; but it was a drop of water in the ocean, and the importunities of the rest, as we advanced into the city, were almost drowned in the hubbub which surrounded us. Such are the sights and sounds which

which greet a stranger on entering this "the most Holy City" of Hindostan, "the Lotus of the world, not founded on common earth, but on the point of Siva's trident," a place so blessed, that whoever dies here, of whatever sect, even though he should be an eater of beef, *so he will but be charitable to the poor brahmins*, is sure of salvation. It is, in fact, this very holiness which makes it the common resort of beggars; since, besides the number of pilgrims, which is enormous, from every part of India, as well as from Tibet and the Birman empire, a great multitude of rich individuals in the decline of life, and almost all the great men who are from time to time disgraced or banished from home by the revolutions which are continually occurring in the Hindoo states, come hither to wash away their sins, or to fill up their vacant hours with the gaudy ceremonies of their religion, and really give away great sums in profuse and indiscriminate charity.'—p. 282—284.

The interior of one of the innumerable temples of the holy city is thus given :—

'The temple-court, small as it is, is crowded like a farm-yard with very fat and very tame bulls, which thrust their noses into every body's hand and pocket for gram and sweetmeats, which their fellow-votaries give them in great quantities. The cloisters are no less full of naked devotees, as hideous as chalk and dung can make them, and the continued hum of "Ram! Ram! Ram! Ram!" is enough to make a stranger giddy. The place is kept very clean, however,—indeed the priests seem to do little else than pour water over the images and the pavement, and I found them not merely willing, but anxious to show me every thing,—frequently repeating that they were Padres also, though it is true that they used this circumstance as an argument for my giving them a present.'—p. 290.

The affairs of our Eastern empire must inevitably engage a very large share of attention in parliament and in the country generally, during the next four or five years, at the end of which period the great national question must be resolved,—whether the government of that empire is to be continued in the hands of the Company, or transferred to the direct management of his Majesty's ministers. It is obvious, therefore, that the Journals of Bishop Heber must be studied on grounds, and with views widely remote from those of mere literary curiosity—the powers of description which they display, and the addition which they have made to the classical literature of this country.

In this article (the chief object of which is to press the work itself upon the public notice) we could not hope or pretend to state or discuss the results of the bishop's evidence, with any approach either to the fulness of detail, or to the gravity and deliberation which the subject demands. We are happy, however, to observe, in the general, that the scope and tendency of his remarks and reflections are decidedly *favourable*. The obvious defects of the
present

present system of police, and judicial administration in India generally, are commented on with justice—never in that tone of exaggerated feeling, which is but too familiar to those who are conversant with the contemporary lucubrations of far inferior men. The character, dispositions, and capabilities of our native subjects, on the other hand, are treated in a manner which will give little satisfaction to those proud and haughty bigots of Europeanism, who have, in many cases, been suffered to exert a most perilous degree of influence over the destinies of that immense empire. He does not lend his canvass exclusively either to the lights or the shades of the living picture before him—but transfers it faithfully with all its features; and pronounces that, upon the whole, in the midst of much that is dark, doubtful, and melancholy, the predominant feeling, with which it deserves to be contemplated, is the cheering and stimulating one of Hope. That the British sway has, in the main—looking to the whole country and the population in the mass—been productive of good to India, he distinctly asserts; and he adduces evidence which cannot, we think, leave it in the power of any honest man to dissent from that opinion. That it has degraded and impoverished certain classes of the population all over India, and, through them, essentially injured some particular districts of the country, he as distinctly confesses. That we ought to look to India with an eye of extreme watchfulness is an inference which he presses continually: if we do so—if we persevere in a course of conduct, which, as gradually but sensibly bettering the condition of the great mass of the people, presents the fairest prospect of overbalancing the admitted elements of danger inherent in certain classes of the population as they now stand—and at the same time show readiness to improve the condition of those classes themselves whenever it is possible to do so with safety to our own interest—if this be the line of conduct pursued steadily in India, the bishop has no nervous apprehensions whatever as to the permanence of our empire. That such an empire should remain, for an indefinite course of time, in the relation of a colonial or quasi-colonial appendage to a kingdom so remote as this, his lordship was not likely to dream. But that, under a firm, paternal, and liberal system of government, the industry of India may be stimulated to an extent hitherto unimagined; the character of her people raised and strengthened; their prejudices, even their religious prejudices, slowly, indeed, but surely overcome; and, in a word, the whole condition of these enormous regions so altered and improved, that their political separation from Great Britain might be another name for the admission of several great independent states into the social system of the civilized world, and even of the Christian world—

world—these are prospects which, after duly weighing what has already been done, the rational and comprehensive intellect of Heber appears to have considered as neither visionary nor absurd.

On passing Mirzapoor, a city the importance of which dates entirely from the establishment of the English government, and which now exhibits a population of from two to three hundred thousand inhabitants, engaged in traffic to a great extent, enjoying, apparently, ease, comfort, and independence, and surrounded with *new* buildings of all sorts, as splendid as are to be seen anywhere out of Calcutta, the bishop pauses to say—

‘This is, indeed, a most rich and striking land. Here, in the space of little more than two hundred miles, along the same river, I have passed six towns, none of them less populous than Chester,—two, (Patna and Mirzapoor,) more so than Birmingham; and one, Benares, more peopled than any city in Europe, except London and Paris! And this besides villages innumerable. I observed to Mr. Archdeacon Corrie, that I had expected to find agriculture in Hindostan in a flourishing state, but the great cities ruined, in consequence of the ruin of the Mussulman nobles. He answered, that certainly very many ancient families had gone to decay, but he did not think the gap had been ever perceptible in his time, in this part of India, since it had been more than filled up by a new order rising from the middling classes, whose wealth had, during his recollection, increased very greatly. Far, indeed, from those cities which we had already passed decaying, most of them had much increased in the number of their houses, and, in what is a sure sign of wealth in India, the number and neatness of their ghâts and temples, since he was last here. Nothing, he said, was plainer to him, from the multitude of little improvements of this kind, of small temples and Bungalows, partly in the European style, but obviously inhabited by natives, that wealth was becoming more abundant among the middling ranks, and that such of them as are rich are not afraid of appearing so. The great cities in the Doab, he said, were indeed scenes of desolation. The whole country round Delhi and Agra, when he first saw it, was filled with the marble ruins of villas, mosques, and palaces, with the fragments of tanks and canals, and the vestiges of inclosures. But this ruin had occurred before the British arms had extended thus far, and while the country was under the tyranny and never-ending invasions of the Persians, Affghans, and Maharattas. Even here a great improvement had taken place before he left Agra, and he hoped to find a much greater on his return. He apprehended that, on the whole, all India had gained under British rule, except, perhaps, Dacca and its neighbourhood, where the manufactures had been nearly ruined.’—pp. 314, 315.

Higher up, at Wallahabad, the intelligent collector of the district, Mr. Ward, introduces to the bishop the zemindar of the district, a Mahometan gentleman, of high family and respectable character,

character, and a very interesting conversation ensues. The bishop happened to introduce the subject of field-sports:—

‘I observed, that there was much jungle in the neighbourhood, and asked if there were any tygers. “Tygers! No,” said he, “not for several years back; and as for jungle, there is three times as much cultivated land now as there used to be under the government of the vizier. Then there were tygers in plenty, and more than plenty; but there are better things than tygers now, such as corn-fields, villages, and people.” ‘It is curious and interesting to find both the apparently progressive improvement of the country under the British government, as contrasted with its previous state, and also how soon, and how easily, in a settled country, the most formidable wild animals become extinct before the power of man. The tyger will soon be almost as great a rarity in our eastern as in our western dominions: the snake, however, will hold his ground longer.’

Still higher up the country, not far from Cawnpore, we find him writing as follows:—

‘The day was fine, and though the roads were in a very bad state, it was delightful to hear the mutual congratulations of our bearers and the villagers whom we passed, both parties full of thankfulness to God, and considering themselves, with apparent reason, as delivered from famine and all its horrors. One of these mutual felicitations, which the archdeacon overheard the day before, was very interesting, as it was not intended for his ear, and was one of the strongest proofs I have met with of the satisfaction of the Hindoos with their rulers. “A good rain this for the bread,” said one of the villagers to the other. “Yes,” was the answer, “and a good government under which a man may eat bread in safety.” While such a feeling prevails, we may have good hopes of the stability of our Indian government.’—p. 362.

We might quote a dozen passages more of the same cast and tendency.

To us, the most painful subject the bishop touches on, and he does so frequently in a very affecting manner, is the levity, to give it no worse name, with which our young and thoughtless countrymen often trifle with the feelings of the natives. The danger of such conduct is as obvious as its vice. Let one example serve: he met a military officer voyaging up the Ganges, who made it his boast that, whenever his cook-boat hung behind, he fired at it with ball. The gentleman, no doubt, took care to shoot high; but such tricks cannot be practised without exciting bitter anger at the time, and leaving a lasting impression of disgust. It is delightful to turn from such incidents, to the many specimens he gives of the gratefulness with which the poor natives receive the kindness of their European superiors.

Talking

Talking of his own numerous attendants generally, the bishop says he found them susceptible, in a high degree, of those amiable feelings, which, no question, the habitual conduct and demeanour of their kind-hearted master were singularly calculated to call forth. On one occasion a boy brought a little leveret to the side of his horse, and when he reproved him for meddling with a poor animal much too young to be of any use at the table, and directed one of his own servants to see that it was put back again, as nearly as possible on the spot where it had been lifted, the whole crowd of grooms and bearers burst out with blessings on his head. Another time when he interfered, to prevent a horse's tail being docked, observing that 'God had bestowed on no animal a limb too much, or which tended to its disadvantage,' the speech (says he) 'seemed to chime in wonderfully with the feelings of most of my hearers; and one very old man observed that, during the twenty-two years the English had held the district, he had not heard so grave and godly a saying from any of them.' 'I thought of Sancho Panza (adds the modest bishop) and his wise sayings, and regretted that, with my present knowledge of their language, I could not tell them anything really worth their hearing.' Such things, however, were probably as profitably heard as more formal lessons might have been. His lordship's attendants, in their progress up the river, were often coming and asking leave of absence for a day or two, to visit parents or kindred residing near the banks. He gained much favour by the readiness with which he listened to such demands: the kindness seems never to have been abused; and on one occasion he had the gratification to ascertain that an advance of a month's wages had been converted solely to the use and benefit of a poor groom's aged father and mother. A touching incident occurs very early in the voyage: he finds that a boatman set apart every day a certain portion of his rice, and bestowed it on the birds, saying, 'It is not I, but my child, that feeds you.' He had lost an only son some years before, and the boy having been in the custom of feeding the birds in this way, the parent never omitted doing so at sunset, in his name. These are not people of whose feelings men can make light with impunity.

How well they appreciate, and how lastingly they remember, the benefits conferred on them by kind and judicious functionaries, may be gathered from many examples scattered over this journal. Thus, at Allahabad, when the bishop asked, with a natural curiosity, which of the governors of India stood highest in the good opinion of the people, he found that, though Lord Wellesley and Warren Hastings were honoured as 'the two greatest men that had ever ruled this part of the world,' the people

people universally 'spoke with much affection of Mr. Jonathan Duncan.'—'*Duncan Sahib kha chota bae*;' i. e., Mr. Duncan's younger brother, is still,' says he, 'the usual term of praise applied to any public man who appears to be actuated by an unusual spirit of kindness towards their nation.' Again, at Boglepore, he found the memory of Judge Cleveland, who died at the age of twenty-nine, in 1784, still fresh in honour: this able and eminent man did much for that district; he improved its husbandry, established bazaars, and, above all, instituted a police, which has been found lastingly effective in a region formerly noted for disorders. When he died, the chiefs of the hill country and the Mussulman gentry of the plain joined their contributions to erect a stately monument over his grave:—

'As being raised to the memory of a Christian, it is called a *Griega*, i. e. a church; and the people still meet once a year in considerable numbers, and have a *Poojah*, or religious spectacle, in honour of his memory.'—p. 205.

Both Hindoos and Moslem have since contributed largely to pay similar honours to Heber himself; and his name, too, Christian bishop as he was, will be remembered in *poojahs* of its own.

Of the slow but distinct and undeniable diminution of the Anti-Christian prejudices of the natives, we had occasion to cite many proofs, in our former paper on 'Bishop Heber and the Church in India.' We may here throw together, by way of supplement to that exposition, a few of the many notices to the same purport which occur in the earlier part of the journal before us. At p. 219, we find Archdeacon Corrie applied to by a Brahmin of high rank, and, it is important to add, of much wealth, 'to grant him an interview, that he might receive instruction in Christianity;' and, on the bishop's expressing some surprise at this occurrence, the archdeacon answers, 'This is not the only indication I have met with in this quarter, of persons who seem not unwilling to inquire into religious subjects.'

'One of the hill-people at the school has declared, of his own accord, his intention of giving up Sunday to the worship of God; and there are several Hindoos and Mussulmans, who make no objection to eat victuals prepared by Christians, saying, that they think the Christians are as pure as themselves, and they are sure they are wiser.'

At p. 288, where the bishop is describing his visitation of the schools established for the native youth at Benares, in which the Gospels are used as a school-book, we find the very able and intelligent governor of the place, who accompanied his lordship, stating as follows:—

'*That they* had every reason to think that all the bigger boys, and many

many of the lesser ones, brought up at these schools, learned to despise idolatry and the Hindoo faith less by any direct precept, for their teachers never name the subject to them, and in the Gospels, which are the only strictly religious books read, there are few, if any, allusions to it, than from the disputations of the Musselman and Hindoo boys among themselves, from the comparison which they soon learn to make between the system of worship which they themselves follow and ours, and above all, from the enlargement of mind which general knowledge and the pure morality of the Gospel have a tendency to produce. Many, both boys and girls, have asked for Baptism, but it has been always thought right to advise them to wait till they had their parents' leave, or were old enough to judge for themselves; and many have, of their own accord, begun daily to use the Lord's Prayer, and to desist from shewing any honour to the image. Their parents seem extremely indifferent to their conduct in this respect. Prayer, or outward adoration, is not essential to caste. A man may believe what he pleases, nay, I understand, he may almost say what he pleases, without the danger of losing it, and so long as they are not baptized, neither eat nor drink in company with Christians or Pariars, all is well in the opinion of the great majority, even in Benares.—pp. 288-289.

And lastly, at p. 514, we find the bishop himself recording his observation, after he had visited the country from Calcutta to Meerut, that in many places '*a sort of regard seemed to be paid to the Sabbath by the natives.*' And the particular instance that suggests the remark points to some *Brahmins*.

We shall not attempt pursuing the general subject farther at this moment; but conclude with a few observations on what is said by the bishop touching a special topic of high practical importance, and to which our own attention has been called in a more particular manner, in consequence of its being announced for parliamentary discussion in the approaching session—we allude to what Dresden, in his '*Aureng-zebe,*' beautifully calls

'The sad procession of a funeral vow
Which cruel laws to Indian wives allow;
Where fatally their virtue they approve,
Cheerful in flames, and martyrs of their love.'

The bishop, on one of the first days he spent in the vicinity of Calcutta, passed near two piles, on which women had been burnt the same morning, and from that time onwards we meet with frequent references to the horrible practice in his journal. He pronounces no decided opinion as to the course which government ought to pursue; merely recording the sentiments he heard expressed by persons who had had more extensive opportunities for making themselves acquainted with the actual state of popular feeling, and the probable consequences of any more direct interference

interference on this head than has as yet been attempted, or, with a few exceptions, recommended by any of our countrymen employed in the higher departments of Indian administration. The caution which the humane bishop exhibits in this matter ought to be received as a most serious lesson by persons who, if Heber considered himself as unqualified to judge of the real state of the case, must in conscience admit they have no pretension whatever to such qualification, and none of whom, assuredly, can advance any claim, either to general philanthropy or to Christian zeal, which might not be pleaded with at least equal force in regard to the late bishop of Calcutta.

We look upon this as one of the most important questions that have yet been agitated upon the internal administration of our power in India. The subject, in itself, is one of deep and universal interest; and it involves considerations of the gravest moment, with reference, as well to the measures which ought, in prudence, to be avoided, as to those which ought, in humanity, to be adopted. In a case like this, no experiment that is tried can be indifferent in its consequences. Whatever does not bring positive good, must bring positive harm. If we show the natives of India that we intend to interfere with their religious customs, and let them see, at the same time, that our interference is unsuccessful, we both alarm their prejudices, and encourage them to resistance. Having once adopted a measure, it is not sufficient that we withdraw it, if we find it either injurious or ineffectual. We no longer stand on the same footing, *quo ante bellum*. By every effort by which we do not gain ground, we lose it. The course is one in which we cannot retrace our steps.

Among the advocates, as well as among the opponents of prohibition, (as might be sufficiently shown from the pages of Heber alone,) a great diversity of opinion prevails. The conclusions at which we have arrived are the result of careful investigation and are confirmed by the judgment of those who have witnessed the practice which we desire to suppress, and are conversant with the character of the people to whose peculiar customs it owes its prevalence. The following passages are extracted from an unpublished narrative—which will not, we hope, remain long unpublished. We vouch for our witness, and are glad of the opportunity of introducing our observations by his description of the extraordinary practice in question. It is, in our opinion, the best and liveliest that has appeared since the time of Bernier.*

‘ During

* A good English translation of Bernier's travels in the Mogul empire has, for the first time, appeared in the present year—that of Mr. Irving Brock. If any of our readers are unacquainted with this excellent old traveller, we beg leave to tell them that his

‘ During the time that I was at Poona, from November 1809 to March 1811, there were four instances of women who burned themselves on the death of their husbands. The first two I witnessed. I desired to ascertain the real circumstances with which those ceremonies were attended, and, in particular, to satisfy myself whether the women, who were the victims of them, were free and conscious agents. The spot appropriated to this purpose was on the margin of the river, immediately opposite the house in which I lived.

‘ On the first occasion, the pile was in preparation when I arrived. It was constructed of rough billets of wood, and was about four feet high, and seven feet square. At each corner there was a slender pole, supporting a light frame, covered with small fuel, straw, and dry grass. The interval between the pile and the frame, which formed a sort of rude canopy, was about four feet. Three of the sides were closed up with matted straw, the fourth being left open as an entrance. The top of the pile, which formed the bottom of this interval, was spread with straw, and the inside had very much the appearance of the interior of a small hut. The procession with the widow arrived soon after. There were altogether about a hundred persons with her, consisting of the Bramins who were to officiate at the ceremony, and the retinue furnished by the government. She was on horseback. She had garlands of flowers over her head and shoulders, and her face was besmeared with sandal-wood. In one hand she held a looking-glass, and in the other a lime stuck upon a dagger. Her dress, which was red, was of the common description worn by Hindoo women, called a *saree*. Where the wife is with the husband when he dies, she burns herself with the corpse; and in those cases where the husband dies at a distance, she must have with her, on the pile, either some relic of his body, or some part of the dress he had on at the time of his death. In this instance, the husband had been a soldier, and had been killed at some distance from Poona. His widow had with her one of his shoes. She had quite a girlish appearance, and could not have been more than seventeen or eighteen years old. Her countenance was of a common cast, without anything peculiar in its character or expression. It was grave and composed; and neither in her carriage, manner, nor gestures did she betray the slightest degree of agitation or disturbance. She dismounted, and sat down at the edge of the river, and, with the assistance of the Bramins, went through some religious ceremonies. She distributed flowers and sweetmeats; and although she spoke little, what she did say was in an easy natural tone, and free from any apparent emotion. She did not seem to pay any attention to the preparation of the pile; but when she was told that it was ready, rose,

his account of India is the most picturesque of all that have preceded Heber's; nor can we imagine anything more interesting, than to compare his descriptions of the barbaric splendours of the court of Aurengzebe with the Bishop's account of his visit to his descendant, the present pageant-king of Delhi. We are sorry our limits prevent us from quoting the parallel passages. The mutability of human fortunes was never more strikingly portrayed.

and

and walked towards it. She there performed some other ceremonies, standing on a stone, on which the outline of two feet had been traced with a chisel. In front of her was a larger stone, which had been placed as a temporary altar, and on which a small fire had been lit. These ceremonies lasted about five minutes, and when they were over, she, of her own accord, approached the pile, and mounted it without assistance. From the beginning to the end of this trying period, she was, to all outward appearance, entirely unmoved. Not the slightest emotion of any kind was perceptible. Her demeanour was calm and placid; equally free from hurry or reluctance. There was no effort, no impatience, no shrinking. To look at her, one would have supposed that she was engaged in some indifferent occupation; and although I was within a few yards of her, I could not, at any moment, detect, either in her voice, or manner, or in the expression of her countenance, the smallest appearance of constraint, or the least departure from the most entire self-possession. Certainly, she was not under the influence of any intoxicating drug, nor of any sort of stupefaction; and from first to last, I did not see any person persuading, exciting, or encouraging her. She herself took the lead throughout, and did all that was to be done, of her own accord. When she was seated on the pile, she adjusted her dress with the same composure that she had all along maintained, and taking from the hand of one of the attendants a taper, which had been lit at the temporary altar, she herself set fire to some pieces of linen, which had been suspended for the purpose from the frame above, and then, covering her head with the folds of her dress, she lay quietly and deliberately down. No fire was applied to the lower part of the pile; but the flames soon spread through the combustible materials on the frame. The attendants threw some oil on the ignited mass; and the strings by which the frame was attached to the posts being cut, it descended on the pile. The weight of it was insufficient either to injure or confine the victim; but it served to conceal her entirely from view, and it brought the flames into immediate contact with the body of the pile. At the same moment a variety of musical instruments were sounded, producing, with the shouts of the attendants, a noise, through which no cries, even if any had issued from the pile, could have been distinguished.* The flames spread rapidly, and burned fiercely; and it was not long before the whole mass was reduced to a heap of glowing embers. No weight, nor ligature, nor constraint of any kind was used to retain the woman on the pile; nor was there any obstacle to prevent her springing from it, when she felt the approach of the flames. The smoke was evidently insufficient to produce either suffocation or stupefaction; and I am satisfied that the victim was destroyed by the fire, and by the fire only.

* 'First Moloch, horrid king, besmear'd with blood
Of human sacrifice, and parent's tears;
Though, for the noise of drums and timbrels loud,
Their children's cries unheard, that pass'd through fire
To his grim idol.'—*Par. Lost*, b. I.

† Throughout

' Throughout the whole of this scene, there were no outward appearances to excite horror ; no struggle, no violence, none of the contortions, or agonies of death. Not so in the other instance that I witnessed. On that occasion, the woman, who appeared to be about forty, was of a low condition of life. She was meanly dressed in soiled white clothes ; and, when I arrived, was sitting close to the edge of the river. The corpse, which was that of an old man, was lying within a few yards of her, on one of those light beds used by the natives of India, with garlands of yellow flowers spread over it. The pile was similar to that already described. The widow, probably from her age, and the coarser habits of her life, was more disposed to talk, and had an air of greater confidence than the former young woman ; but she seemed quite as firm and collected, and equally free from every appearance of fear and agitation. She had a very decided manner, and looked steadfastly bent upon her purpose. There was even a certain cheerfulness about her ; and the only symptom of impatience she betrayed, was when she missed the corpse of her husband, which, without her noticing it, had been removed, while she was in conversation, to the pile. In the former instance, the sufferer was alone. I could not discover that she had any relations with her. But in this case two children and a sister of the widow were present at the ceremony. The children, who were apparently about five and seven years old, may not have fully understood what was passing before them ; but even the sister was unmoved. She stood, with one of the children in her arms, and the other by her side, within a few yards of her sister, but no act of recognition passed between them. The widow must have seen her children, but she took no notice of them ; and she was evidently as undisturbed by their presence as they were by her condition. She spoke to me and a gentleman who was with me, and asked us for money, which she distributed to those around her. When the pile was ready, she rose, and walked to it with a firm and easy step. There, as well as at the river-side, she went through ceremonies similar to those observed in the former instance. Before she mounted the pile, she turned round, and made an obeisance to me, to the Bra- mins, and to the various persons who stood by ; but still she took no notice of her children or sister. Even at this moment, her countenance and manner were entirely undisturbed. She took her place calmly by the left side of the corpse, which had already been laid upon the pile ; and having lit the pieces of linen attached to the frame above her, she covered her face with a part of her dress, and lay down. The attendants immediately cut the strings by which the frame was suspended ; but only three of the corners fell, the fourth still remaining attached to the upper part of the post. Attempts were made to loosen it, but, before it could be moved, the flames had gained such height as to drive the attendants from the pile. The force that had been used had, however, so much shaken the whole structure, that, just as the flames reached that part of it where the victim lay, the billets at one corner gave way, and the poor creature fell, her head

resting on the ground, and the whole of the upper part of her body being exposed beyond the pile. She was scorched and disfigured by the fire, and must have been in the endurance of agony unspeakable: but her fortitude never forsook her. Instead of rushing from the flames, she clung, with a convulsive grasp, to the corner post, and although the motion of her lips showed that she was muttering something to herself, not one single cry escaped her. I saw no more. The attendants instantly cast billets of wood on her as she lay; a fresh heap was raised over her body, and the spreading of the flames soon consummated the sacrifice.

‘On both occasions, the indifference of the spectators was not less remarkable than the calmness and resolution of the victim. They looked on, or assisted, without any indication of sympathy or concern. Even the nearest relations of the sufferer seemed to regard what was passing as an occurrence of no moment; and, especially during the horrors of this last instance, it was impossible not to be struck with the total absence of that breathless anxiety, that awful dread, that reverential silence, with which the approach of death is always contemplated among a Christian people.’—MS. JOURNAL.

Revolting as these sacrifices are, and unquestionable as is the fact that such tragedies are, in some instances, consummated by fraud and violence, it does not require the actual sight of them to arouse our pity and indignation, and convince us of the obligation under which we lie to make every possible effort for their suppression. The question is, by what means our end can be attained, and to that question we are satisfied that they who understand the subject the best, will be as slow to give an answer as Bishop Heber was. For those who see only the surface of the stream, it is easy to deride the dangers of the passage. We require some experience of our own, to discern the perils that lie beneath, and some assurance of the experience of others, to commit the bark with confidence to their hands.

It appears, by parliamentary papers * before us, that it is now near forty years since this question was first entertained by the Indian government. A variety of regulations were successively proposed, and, in part, adopted; and finally, in 1817, under the government of Lord Hastings, Mr. Edmonstone being vice-president at Calcutta, the subject was revived, and the investigation terminated in a formal set of ‘*circular instructions*,’ by giving the substance of which, we shall sufficiently exhibit the view ultimately taken by government.

The preamble opens with a declaration, that ‘it is an invariable principle of the British government to protect the whole of its

* Papers relating to Hindoo Widows, printed by order of the House of Commons, July 10, 1821; Ditto, July 19, 1823; Ditto, June 18, 1824; Ditto, June 18, 1824; Ditto, July 5, 1825; Ditto, May 17, 1827; Papers relating to Hindoo Infanticide, June 17, 1824.

subjects in the free exercise of their religion, and in the performance of their religious ceremonies, as well as to show a just regard for established customs and usages, even in matters not directly connected with religious worship and duties.' The law upon this subject, according to the best Hindoo authorities, is then explained; and it is stated, that 'the government, actuated by its general principle of toleration, however anxious for the voluntary discontinuance of a custom so repugnant to the feelings of humanity, deemed it proper, after ascertaining from the *pundits* the rules and restrictions prescribed by the *Shaster** on the subject, to authorize the interference of the public officers, so far only as appeared absolutely necessary, under experience of gross irregularity and abuses, for maintaining a more strict observance of the ordinances of the Hindoo law.' With that view, the *directions* of Lord Minto, in 1812, had been framed; 'but frequent instances having occurred of women being burned, in direct opposition to those rules,' the *instructions* 'are issued for the guidance of the magistrates, and are intended to supersede all former rules and orders upon the subject.'

These instructions are distributed under five heads. The *first* enumerates nine conditions, under any one of which it is illegal for a widow to burn: 1st. If she have not completed her fifteenth year. 2nd. If she be pregnant, or pregnancy be presumable. 3rd. If she be in a state of impurity. 4th. If she have a child under four years of age. 5th. If she have a child between four and seven years of age, and no person of responsibility will engage to maintain it. 6th. If, being the widow of a brahmin, she proposes to burn otherwise than on the same pile with the *corpse* of her husband. 7th. If, belonging to any other tribe, and being absent from her husband at the time, she do not burn immediately on hearing of his death. 8th. If, being present, she do not burn immediately on her husband's death. 9th. If she have not been legally married, and faithful to her husband. Under the *second* head, the relations of a widow, who has resolved to burn, are required to give intimation to the police: if any woman be burned without such previous intimation, all persons taking any active part therein are made punishable by fine and imprisonment; or if the widow was under any one of the prescribed disabilities, they are to be committed for trial: the principal persons of the widow's family, or that of her husband, who may have been on the spot, and may have neglected to give notice to the police, are also made subject to fine and imprisonment, although they may not have taken any active part. Under the *third* head, a police officer is directed to attend, and ascertain whether it is competent to the widow to burn, and whether she

* The sacred code of the civil and criminal law of the Hindoos, second only in authority to the *Vedas*.

has given her full and free consent. he is also to explain these rules to her, and to apprise her of 'the liberty allowed by the *shaster*, and the encouragement given to a life of piety and virtue;' in cases where the widow is either incompetent or unwilling to burn, he is publicly to forbid the ceremony, and to warn the persons present that, by persisting, they will render themselves liable to punishment: but, subject to these restrictions, the police officers are prohibited from interfering to prevent the performance of the rite; the particulars of each case are to be minutely reported to the magistrate, and monthly reports are to be made, as well of such *suttees* as may have taken place, as of such as may have been prevented. The *fourth* head prohibits, as unauthorized by the *shaster*, the practice of burying alive widows of the *Jogee* tribe with the bodies of their husbands. The *fifth* head directs the translation of these rules into the native languages, and their publication throughout the country.*

These instructions, after receiving the approbation of the vice-president in council, were sanctioned and confirmed by Lord Hastings, who was then in the interior of the country; but as the vice-president thought that the information possessed by government 'regarding the rules of the Hindoo law, and the local usages prevailing in different parts of the country, as applicable to the ceremony of *suttee*, had hitherto been extremely imperfect,' he considered 'that it was not advisable to introduce or promulgate the instructions in the formal shape of a legislative enactment.'† And in this most unsatisfactory state, the subject, as far as relates to the interposition of public authority, has remained down to the present hour.

In proceeding to examine the effect with which British interference has been attended; we cannot withhold from our readers the forcible opinion, recorded in 1824, by Mr. Courtney Smith, second judge of the nizamat adawlut at Calcutta:—'That, if this mode of issuing orders, under the sanction of government, to regulate *suttees*, is continued, the practice will take such deep root, under the authority of the supreme power of the country, that to eradicate it will become impossible.' Mr. Smith goes on to assert his conviction, that the practice might safely be abolished altogether by law. But (says he, in conclusion,) 'Should this be deemed hazardous, it will be better to leave the Hindoos to themselves upon the subject, as being a rite which it would be disgraceful in us to countenance, and dangerous to our empire to forbid. The usage will be much more likely to fall into disuse under a total neglect, on the part of government, than under the present system of attention and inquiry, which serves but to keep the feelings of the Hindoo population alive upon the point, and to give a sort of interest and celebrity to the sacrifice, which is in the highest degree favourable to its continuance and extension.'

* Papers, July 10, 1821, p. 137.

† Ibid. p. 143.

We cordially agree with Mr. Smith as to the perverse effect imputed by him to the orders now in force, but we are reluctantly compelled to dissent from his opinion, that 'the practice may be abolished with perfect safety.' We are aware that Mr. Smith's opinion derives additional weight from the concurrent testimony of other able men; but the preponderance of authority is decidedly in the other scale. Lord Cornwallis, Lord Teignmouth, Lord Wellesley, Lord Minto, Lord Hastings, Lord Amherst, Mr. Edmonstone, Mr. Colebrooke, Sir Thomas Munro, and Mr. Elphinstone, are all adverse to authoritative interference; and every successive government, at Calcutta, at Madras, and at Bombay, by which the question has been entertained, has been compelled, after the most anxious and deliberate investigation, to declare its conviction that all measures of a peremptory or coercive character would be productive of injurious consequences.—Not to multiply quotations, the latest opinion which we find recorded by the Bengal government, is contained in the following passage of a despatch from Lord Amherst to the Court of Directors, written in December, 1824, when he had before him almost the whole of the information contained in the papers now upon our table:—'We have reason to believe, that, in the eyes of the natives, the great redeeming point in our government, the circumstance which reconciles them, above all others, to the manifold inconveniences of foreign rule, is the scrupulous regard we have paid to their customs and prejudices. . . . The well-meant and zealous attempts of Europeans, to dissuade from and to discourage the performance of the rite, would appear to have been almost uniformly unsuccessful, and prove but too strongly that even the best informed classes of the Hindoo population are not yet sufficiently enlightened to recognise the propriety of abolishing the rite of Suttee.' And the last resolutions of the Bombay government, on the same head, conclude in these words:—'If there is the smallest risk of exciting, not the opposition alone, but the jealousy of the natives, it would be best at once to suspend the orders. *The prejudices of the natives are rapidly giving way to the effect of our example; at no very distant period the worst of their delusions will vanish of themselves before the general diffusion of knowledge. But, attempting to lop off one branch of their superstition, we run the risk of interrupting the progress of those causes, which are already consuming it at the root.*'—(Papers, June 18, 1824, p. 48.) And we may close our review of the proceedings in India, on this subject, with the following temperate and sensible observations, which occur in a despatch, written in 1823, by the Court of Directors to the government of Bengal:—

'After an attentive consideration of all that has lately been received from the several presidencies on this subject, and the very various opinions concerning *suttee*, which have been received from the public officers,

it appears that the practice varies very much in different parts of India, both as to the extent to which it prevails, and the enthusiasm with which it is upheld. The necessity, therefore, as well as the policy, and probable effect of strong measures of repression, must vary with the varying circumstances of the district. The line of distinction drawn in the circular order of 1817, between the different cases of *suttee*, proceeds upon a more general principle. It is undoubtedly the policy of our government to abstain from interference with the religious opinions and prejudices of the natives; and it is, therefore, upon an intelligible ground, that you have adopted the rule, which permits the sacrifice when it is clearly voluntary, and conformable to the Hindoo religion, and authoritatively prevents it in all other cases. To us, however, *it appears very doubtful*, (and we are confirmed in this doubt by respectable authority,) *whether the measures which have been already taken in pursuance of this principle, have not tended rather to increase than to diminish the frequency of the practice.* Such a tendency is at least not unnaturally ascribed to a regulation, which, prohibiting a practice only in certain cases, appears to sanction it in all others; and it is to be apprehended, that where the people have not previously a very enthusiastic attachment to the custom, a law which shall explain to them the cases in which it ought not to be followed, may be taken as a direction for adopting it in all others. Indeed, in a district where the practice, if ever known, has fallen into disuse, any public mention of it whatever would appear to be impolitic; although it would be highly desirable to resist any attempt to revive it. *It is, moreover, with much reluctance, that we can consent to make the British government, by a specific permission of the suttee, an ostensible party to the sacrifice. We are averse also to the practice of making British courts the expounders and vindicators of the Hindoo religion, when it leads to acts, which, not less as legislators than as Christians, we abominate.*'—(Papers, June 18, 1824.)

The first year for which any return was made of the actual number of widows immolated, was 1815. Since that time similar returns have been made annually, that for 1824 being the latest included in the papers now before us. The following table exhibits the result of the whole ten years, distributed under the heads of the six divisions, composing the territory of the Bengal presidency:—

	1815	1816	1817	1818	1819	1820	1821	1822	1823	1824	Total.
Calcutta.....	253	289	442	544	421	370	392	328	340	373	3752
Benares.....	48	65	103	137	92	93	114	102	121	93	968
Patna.....	20	29	49	57	40	42	69	70	49	41	466
Dacca	31	24	52	58	55	51	52	45	40	40	448
Moorshedabad ..	11	22	42	30	25	21	12	22	13	15	213
Bareilly	15	13	19	13	17	20	15	16	12	10	150
	378	442	707	839	650	597	654	583	575	572	5997

The two most important facts to be deduced from this statement

ment are, the increase which has taken place in the prevalence of the practice, notwithstanding our attempts to check it; and the degree in which the number of cases in the vicinity of Calcutta exceeds that in the other divisions. Looking at the totals of each year, it will be found that the cases were most numerous in 1817, 1818, and 1819; but as we have no doubt that that excess arose principally from the increased mortality occasioned by the epidemic which then prevailed, we shall exclude those years from our comparison. The sacrifices in the last three years amount, severally, to 583, 575, and 572. Considered by themselves, these numbers certainly exhibit a diminution, but in a degree so slight, that, during that short period, the practice may be said to have been stationary. The total number of sacrifices in the first year was 378; in the last it had increased to 572; but taking the average of the first two, and that of the last two years of the series, we have still an increase in the ratio of 5 to 7. This has been partially accounted for, by supposing that the late returns have been made with more accuracy than those for the early years: to a certain extent, it may have arisen from the increase of population, and the continued, though diminished, action of the epidemic; but we fear, that, with every allowance which can be made for those, or any other reasons, the mortifying fact will still remain, that the measures hitherto adopted by us have had the effect of aggravating the evil which they were intended to alleviate.

In that tract of country immediately surrounding the seat of our government, our authority ought to be more efficacious, the force of our example more powerful, and the success of our restrictive measures consequently greater, than in the districts situated at a distance from the capital. The influence of religious enthusiasm, and even of superstitious prejudice, in promoting the practice, would have been looked for by Englishmen in the division of Benares—that overgrown sink of Hindoo superstition, of which Heber's exquisite description is fresh in our readers' recollection—rather than in the district of Calcutta, the great and splendid capital of the Anglo-Indian government itself. Nor, indeed, could any one have expected to find a rite of this terrific character prevailing in the greatest degree in that particular tract, of which the inhabitants are, beyond comparison, the most pusillanimous of all the Indian races. But all these expectations are disappointed by the result. The return of the Calcutta division alone exhibits, in the whole ten years, the appalling number of 3752 victims. This exceeds the aggregate of the other five divisions by 1507, or in the proportion of 5 to 2. The real average can be deduced only from a comparison of the relative population of the different divisions, of which we have
been

been unable to procure any account; but supposing, as a mere approximation to the truth, that the population of the Calcutta division is double that of any other, and that the other divisions are equally populous among themselves, we shall, in that case, have 1714 as the average of the Calcutta, and 857 as that of each of the other five divisions. But the actual return from the Calcutta division is more than double even this average. The number of victims immolated in the immediate suburbs of Calcutta, during the same period, was 408. (1815, 25; 1816, 40; 1817, 39; 1818, 43; 1819, 52; 1820, 47; 1821, 39; 1822, 43; 1823, 46; 1824, 34;—total, 408.) The population of the whole six divisions has been estimated at 50,000,000; that of Calcutta and its suburbs is, probably, about 800,000. In the whole population, therefore, there was, in ten years, one victim in 8337; in the suburbs of Calcutta there was one in 1960: a proportion more than four times larger than that afforded by the whole six divisions taken together. Comparing the first of the ten years with the last, the increase in the number of victims, in the whole six divisions, has been in the ratio of 2 to 3; that in the Calcutta division has been in the same proportion; and that in the suburbs of the city only has been as 5 to 7. The total number of cases in the Benares division is 968, which exceeds the average we have just assigned to it by 111. It is upwards of double the return from Patna and Dacca, near five times that from Moorsshedabad, and upwards of six times that from Bareilly; but, compared with that of Calcutta, the return for the whole division is only a little more than double that for the city of Calcutta alone; and it is exceeded by that for the division of Calcutta, in the ratio of nearly 4 to 1. The only specific causes, by which we find any attempt to account for this deplorable and humiliating result, is the pernicious influence of the obscene worship of *Kalee** on the moral character and habits of the people, in the vicinity of Calcutta, where it principally prevails, and the perverse operation of our own measures, in confirming and increasing a practice which they were intended to restrain.† But these causes alone do not appear to us to be adequate to the effects which are attributed to them, and we have little doubt, that, if it were possible to explore the early history and superstitions of Bengal, we should find some other peculiar circumstances, of which the origin and character are lost, and of which this melancholy consequence only is now to be discerned.

No general returns have been made from either Madras or Bombay, but under both presidencies it is manifest that the

* One of the personifications of the Destroying Spirit.

† *Papers*, July 10, 1821, p. 236.

number of sacrifices bears a very small proportion to those which take place in Bengal.

Having thus considered the different degrees in which this practice prevails in different portions of our own territory, it will not be unimportant to institute a similar comparison, as far as our limited means will enable us to do so, between the countries subject to our own government, and those under the government of native princes. At Poona, the metropolis of a Hindoo nation, where the community of religion between the government and the people, the superstitious character of the prince, and the uncontrolled power of the Bramins, were all favourable to the extension of the practice, and where the government, in some degree, encouraged it, by defraying the expense in cases where the parties were too poor to meet it, we find that only four instances occurred in one period of seventeen months. Even there, however, among the Hindoos themselves, the encouragement of the practice was tempered by the natural feelings of humanity. It is the custom, in a certain class, for the widow, instead of ascending a pile, to cast herself into a pit, in which a fire has been previously kindled. In an instance which has been communicated to us, a widow, whose husband had been dead some years, was cohabiting with another man; and whenever she was jealous of her paramour, or any quarrel took place between them, she used to threaten that she would sacrifice herself to the memory of her husband. On one occasion, she went the length of having the pit dug, and the fuel laid in it; but the completion of her purpose, even if she seriously entertained it, was prohibited by the Paishwa. She might, he said, if she had chosen, have burned herself, at the proper time, with the corpse of her husband; but he would not suffer a sacred rite to be profaned, by being made subservient to the jealousy and bickerings of a prostitute. Captain Pottinger states, that the Paishwa frequently exerted himself personally to dissuade women from becoming *suttees*; on which Mr. Elphinstone judiciously remarks, that such a course, in a Brahmin prince, was not liable to the same misrepresentations which, in a similar case, might be put upon our interference.* At Hydembast, where, although the sovereign is a Mahometan, there is a still larger Hindoo population than at Poona, the government neither shows any feeling, nor exercises any interference on the subject. It neither forbids nor encourages; and yet, in the course of twenty years from 1800, we have been assured that not one single instance of this kind occurred. On the spot now occupied by the English residency, there is the

* Papers, July 10, 1821, p. 55.

tomb of a woman who burned herself many years ago, and it is still pointed out as an object of curiosity. How different the result is in our own territory, has been shown by the melancholy detail into which we have just entered. We are far from inferring that this variance is exclusively the effect of encouragement in the one case, and indifference or opposition in the others; but we have no doubt that those causes do exercise a very powerful influence. Many a mischievous project has expired under neglect, which would have been encouraged and confirmed by coercion; and many a beneficial change owes much of its success to the violence and persecution it has encountered. The security which we have hitherto enjoyed in India is, in a great measure, the result of the toleration we have practised—of our respect for the rights, and our indulgence for the prejudices, of our subjects. If we desire that security to continue, we must remember that toleration is letting people do what *they* like, not what *we* like. In this sense our declarations have been made, and in this sense they ought to be fulfilled. It is not sufficient that our ends be good; our means also must be judicious. We may improve by our example, and enlighten with our knowledge; but we must take care how we innovate in matters of religion.

But it is alleged that we have already innovated, and innovated successfully, on the religious customs of the Hindoos. Among the instances which are cited, it is said that we inflict capital punishment on Bramins, whose lives, by the Hindoo law, are sacred; and that we have abolished the practice of infanticide, which had prevailed from time immemorial; and as no attempt has been made, in either instance, to resist or resent our measures, it is contended that no injurious consequence would follow our prohibition of the burning of widows;* in other words, that our Indian subjects, having already borne much, will, therefore, bear more. Fortunately, our government has been too wise to try experiments on the endurance of its subjects; or we might have found, that, abject and pusillanimous as a great portion of them unquestionably are, even with them forbearance has its limits, and that resistance, when it does begin, is formidable in proportion to the difficulty with which it has been provoked. But let us see how the facts stand.

Reasoning that proceeds upon analogy is always to be watched with care. Cases are frequently assumed as parallel, which, in truth, are not so. We confound apparent with real resemblance. In the first place, it is necessary to distinguish between those maxims which are inculcated in the law of the Hindoos, and those which are respected in their practice. To kill a Bramin is un-

* Papers, July 5, 1825, p. 12.

questionably

questionably denounced, in their law, as a crime of the deepest dye, and yet it is one which they are not deterred from committing. They will not *shed the blood* of a Bramin, in the literal sense of the term, but they do put Bramins to death by slow and indirect means—by starvation, by unwholesome food, by rigorous confinement. To execute a Bramin, therefore, though a breach of the law, is not a violation of the practice of the Hindoos; and we can hardly be said to shock their prejudices, when we only disregard an injunction, which they themselves not unfrequently evade. But even were the practice otherwise, in order to constitute a parallel case, it would not be sufficient that we inflict capital punishment on Bramins, unless we require the Hindoos to do so. There is a wide difference between the practical effect of doing or avoiding a thing ourselves, and requiring others to do or avoid it. As long as we leave them at liberty to follow their own customs, they care little whether we follow them or not. We do not encounter danger by doing what they think wrong, but by preventing them from doing what they think right. They do not desire that we should conform to the Hindoo law, but they are alarmed at the slightest indication of a design, on our part, to compel them to abandon it.

Of the practice of infanticide, it is necessary to our argument, and may be interesting to our readers, that we enter into a short examination. The printed papers relative to this subject, which are the last in the series now on our table, are divided into four parts, and describe the different modifications of the practice, and the measures which have been adopted for its suppression. 1. Among the Rajkoomars, inhabiting certain districts in the direction of Juanpoor; 2. and 3. Among the Jahrejas, a tribe of Rajpoots in Cutch and Cattewar; and 4. Among the Hindoos at the southern extremity of Bengal. The details of this subject are striking and characteristic in the highest degree; and although the practice of infanticide has been hitherto treated as a question only subordinate and accessory to that of self-immolation, it really appears to us to constitute, both in character and magnitude, by far the more appalling and flagitious evil of the two.

1. The Rajkoomars are described by Mr. Duncan, in 1789, as amounting to about 40,000; and they did not hesitate to avow their practice of putting all their female issue to death, by withholding sustenance from them from the moment of their birth. The only reason assigned by them for this horrid usage, was the expense of procuring suitable matches for their daughters, if they allowed them to grow up. They preserved their race by intermarrying with other tribes of Rajpoots.* In 1789, an agreement

* Papers, June 17, 1824, p. 5 and 6.

was proposed by Mr. Duncan, and executed by many of them, declaring the custom of destroying their female offspring to be criminal, and promising to renounce it for the future.* In 1795 and 1803, regulations were enacted by the Bengal government, directing the magistrates to proclaim, throughout their several jurisdictions, the prohibition of this inhuman practice, and providing that, 'if any Rajkoomar shall designedly prove the cause of the death of his female child, by prohibiting its receiving nourishment, or in any other manner, he shall be committed and tried, in the manner directed with respect to other cases of murder.'† But, notwithstanding these measures, in 1819, the date of the latest paper on this branch of the subject, Mr. Cracroft, the magistrate of Juanpoor, states that the practice of infanticide 'still subsists in as full force as it ever did, and appears to be almost irremediable.'‡

2. and 3. Among the Jahrejas of Cutch and Cattewar, who are a tribe of Rajpoots, the practice of destroying their female issue is described as 'an ancient and immemorial custom, confirmed by prejudice and family pride,'§ it being considered disgraceful to a Hindoo father that his daughter should not be affianced before she attains a marriageable age. The first establishment of this tribe is said to have been in Sind. They afterwards extended over a great part of Persia; and Colonel Walker supposes, that the original Rajpoot inhabitants having been compelled to adopt the Mahometan religion, on the conquest of their country by the Caliphs, the Jahrejas resorted to this practice, on account 'of the difficulty of procuring suitable matches for their daughters. Speaking of it to Colonel Walker, their chief defended it, by saying that it relieved them of much vexation and expense. Instances do occur of their preserving their female children, but the act is optional and voluntary, and they hold it more reputable to destroy them. Colonel Walker could ascertain only five instances of fathers who had reared their daughters. Even in these cases the girls were dressed like boys. They seemed ashamed of their sex, called themselves boys, and appealed to their fathers in support of the assertion. If a father wishes to preserve a daughter, he previously apprizes his wife and family, and his commands are obeyed; but if a mother has the same wish, and the father objects to it, the infant must be put to death. There are cases where the influence of the wife obtains the husband's consent to preserve a child; but these instances of maternal solicitude are said to be either unfrequent, or seldom successful. The father sometimes expressly orders the infant to be put to death, probably when he suspects a desire on the part of

* *Papers*, June 17, 1824, p. 8. † *Ibid.* 9 and 11. ‡ *Ibid.* p. 15. § *Ibid.* p. 28.

the mother to preserve it; but in general this intimation is unnecessary, the silence of the husband being considered to imply his resolution that the child, if a female, should perish. To aggravate, if possible, the horror of the deed, the mother is commonly the executioner of her own offspring. Women of rank may have their slaves and attendants, who perform this act; but the greater number of them perpetrate it with their own hands. Immediately after the birth of a female, they stifle it, or destroy it by introducing opium into its mouth, and, in some cases, it is laid on the ground, or on a plank, and left to expire for want of sustenance. This compliance, on the part of the women, is the more extraordinary, as they themselves belong to tribes who rear their females, and have been bred in families where their own existence bears testimony against this unnatural practice; but as they are affianced at an early age, they imbibe the barbarism of their husbands, and are said to be even advocates for the practice. If any person ask a Jahreja the result of the pregnancy of his wife, he would, if the child had been a female, answer '*nothing*;' and this expression, in the idiom of the country, is horribly significant. There is a wide discrepancy between the different estimates of the number of the females annually destroyed among this tribe, but it must be great. Colonel Walker seems to think that it exceeds 15,000. In 1808, an engagement similar to that by which the Rajkoomars in Juanpoor had consented to bind themselves, was proposed to the Jahrejas; and Colonel Walker states, that, with the exception of one individual, 'every chief, readily, and without offering a single objection, subscribed it.'* Even that exception was afterwards removed by the individual's becoming a party to the engagement; and in 1819, a treaty was concluded between the East India Company and the principal chief of Cutch, which stipulated for the total abolition of the practice.† Yet, in 1821, the latest period to which these papers extend, Mr. Elphinstone states that, 'from the best information Major Ballantine could obtain, it would not appear that more than one hundred females, born since the agreement, are now in existence; and it is not easy to say how many of these might have been spared, if the engagement had never been entered into.'‡

4. The practice which prevails in Bengal is similar in effect, though it differs in its cause, from both those which have been described. The Rajkoomars and Jahrejas destroy their offspring, to get rid of an encumbrance: the deluded beings who frequent the annual festival at Sangor devote theirs to destruction as an offering to propitiate the deity. When they are apprehensive of not having issue, it is common for them to make a vow, that, in the event of their prayer for five children being

* *Papers*, June 17, 1824, p. 31.

† *Ibid.* p. 115.

‡ *Ibid.* p. 118.
granted.

granted, they will devote the fifth—to *the Ganges*, it is said, though we apprehend in reality to *Kalee*. The children are thrown into the river from a point of the island of Sangor, which lies at the mouth of the Ganges, called, in Rennell's map, 'the place of sacrifice,' and are either drowned or devoured by sharks. One instance is mentioned, where the parents having made the vow, and being apprehensive that these sacrifices might be prevented by the interposition of our authority, before the period of its performance arrived, resolved to devote a boy of twelve years old, who, not being the fifth child, was not within the letter of the vow, and he was accordingly thrown by them into the river. He endeavoured to save himself by swimming, and a spectator offered him his protection; but he was again seized by his parents, and they succeeded in effectuating their purpose.* Some children appear to have been sacrificed on account of their being affected with incurable maladies; † and many instances of voluntary self-destruction occurred on the part of aged persons of both sexes. The periods for the performance of these sacrifices are the full moons of November and January. No estimate is given of their probable extent. In 1802 a regulation was passed in Bengal, declaring that 'all persons exposing any infant to be drowned or devoured by sharks, or aiding or abetting the same, shall be held guilty of wilful murder.' ‡ In 1821 it is stated that 'the practice of immolating children had entirely ceased;' § but a guard is still sent to Sangor, every year, at the periods of the festival.

The success of our interference in the case of infanticide has by no means, therefore, been such as to sustain the argument which has been built upon it. In the two graver of the three instances, the practice still continues in unabated force, notwithstanding our continued efforts to suppress it; and in the remaining instance the revival of it is only prevented by the employment of military force. But even had our success been complete, and had this abomination been utterly extirpated, it must still be remembered that the practice of infanticide was not a general practice, and, even by those addicted to it, has never been supposed to have its origin in any *precept of religion*.

'It does not appear,' say the Calcutta magistrates, speaking of the practice at Sangor, 'that sacrifices of this nature are sanctioned by any tenet of the Hindoo code.'—'The practice appears to be little countenanced by the religious orders, or by the great body of the people, who, on the contrary, think it a pious and meritorious act to rescue a child from destruction, and afterwards to adopt and maintain it at their own expense.' ||

We must not, therefore, confound a partial with an universal

* *Papers*, June 17, 1824, p. 134. † *Ibid.* p. 131. ‡ *Ibid.* p. 137. § *Ibid.* p. 143.

|| *Ibid.* p. 134.

usage, nor attribute to a local custom, limited to a single class and a narrow tract of country, the influence which belongs to a rite, recognised by every order of society, and prevailing, more or less, from one end of India to the other. The feelings of the Hindoos, when they are not turned aside by the force of any peculiar prejudice or institution, run in the same channel with the feelings of all other people. They view the practice of infanticide as we ourselves view it; and if, from their constitutional apathy, and the indolent spirit of a religion which admits no proselytes, they have not gone actively with us, at least their jealousy was not alarmed, their own superstitions were not touched, and they had no inducement to go against us.

It has also been argued, as a proof of the facility with which the practice of self-burning might be abolished, that it 'prevails chiefly, if not exclusively, among the lowest and most ignorant, and is discountenanced by the upper and educated classes.*' We do not see any reason to believe that the practice is discountenanced by the upper classes: the other position, that it prevails chiefly among the lower classes, is true in fact, but the principle which has been deduced from it is erroneous. The lower orders are nowhere those who are most easily wrought upon to abandon old or adopt new usages; on the contrary, they cling to their ancient modes with much more tenacity than their betters. Improvement of every kind makes its way slowly among them; and in all countries the vestiges of remote customs, like the terms and idioms of obsolete language, are to be sought among the uneducated classes. Superstition is always powerful in proportion to the ignorance of its professors. Not only, therefore, the basis, on which this usage stands, is strong, but it is strong for the very reason for which the argument now under consideration alleges it to be weak.

To the argument founded upon the fact of the practice of self-immolation having been successfully prohibited by the Danes at Serampore, the Dutch at Chinsura, the French at Chandernagore, and by our own supreme court within the city of Calcutta, it has been obviously replied, that—

'no just inference can be drawn from this circumstance in favour of a general interdiction, as the inhabitants of the foreign settlements, and Calcutta, are at liberty to perform the act in the vicinity of those places respectively; and the magistrate of the suburbs of Calcutta has accordingly noticed, that his report of twenty-five women burned on the funeral piles of their husbands, in the year 1815, includes those who were not permitted to burn within the jurisdiction of the supreme court.'†

To which may be added, that a particular instance of prohi-

* Papers, May 17, 1827, p. 29.

† Ibid, July 10, 1821, p. 109.

bition may very well be referred by the natives to a particular cause; and that it is only from an alarm, among them, of a general systematic design to alter their religious customs, that solid and extensive danger is to be apprehended.

No reasoning is more liable to error than that which, founded on the opinions and observances of one time or country, is applied to the opinions and observances of another. Men are the creatures of the circumstances by which they are surrounded: even those feelings and instincts which belong to our common nature, and are inherent in us all, are modified and restrained by local institutions. The Hindoo has the same filial and parental affections, the same dread of pain, and the same love of life that we have, and the prevalence of this horrid rite only proves the force of the impulse by which those instincts are subdued. In estimating that force, we must consider it with reference, not to our own opinions and belief, but to the opinions and belief of those among whom this usage prevails. The Hindoo widow implicitly believes, that by burning herself on the death of her husband, she redeems him from a state of torment, and secures instantaneous admission with his spirit into the bliss of heaven; and she knows that, if she survives him, she is doomed to a life of hopeless degradation, spurned by the world, and an outcast, even from her own family. She is incited, therefore, by two of the most powerful motives by which human actions can be influenced, the desire of happiness, and the dread of infamy; nor is she, perhaps, insensible to the reputation of a sacrifice, which is glorious in proportion to the horrors by which it is surrounded. The woman who has wrought up her mind to the resolution of destroying herself by fire, is already beyond the reach of any penal enactment.

But it may be urged, that penal prohibition, though futile in the case of the victim, would be efficacious in deterring others from assisting at the sacrifice. It is alleged that the relations of the widow are, in some cases, actuated by a selfish view in stimulating her resolution, and that the Brahmins promote the same end for the sake of the fees which they expect. Mr. Ewer says, 'the family are anxious to get rid of an encumbrance, and the Brahmins are desirous of a feast and a present.*' The benevolent and accomplished author of the *Elements of Hindoo Law* also speaks of 'designing priests, and interested relations.' And Dr. Marshman, the excellent missionary, speaks largely in the same tone to Bishop Heber. But we doubt the fact as to the relations, and are disposed to believe that they endeavour to prevent, in many more instances than to promote, the sacrifice. Even in those cases where it is not so, similar considerations to

* *Papers*, July 10, 1821. p. 227.

those which influence the widow, extends also to the members of her family. What is honourable to her, is honourable to them; what is disgraceful to her, is disgraceful to them. Her death, in the discharge of what they hold to be her highest duty, sheds a lustre upon them all; and it is the vice of the tenets in which they have been bred, that her life, if she survives, must be a perpetual reproach to them as well as to herself. With respect to the Brahmins, thinking as ill of them as it is reasonable to think of any class of men collectively, still there are obvious motives, sufficient to account for their conduct in this particular, without resorting to the violent supposition of a mercenary purpose. They are priests, with all the feelings of the priesthood for the honour and influence of their religion. By a law peculiar to their creed, they are debarred from making proselytes; and their zeal, thus confined within a narrower channel, runs, perhaps, with a stronger current. Believing as they believe, it is not surprising that they encourage a sacrifice which they hold to be acceptable to the Deity, meritorious in the sufferer, and honourable to the faith of which they are the ministers.

There is, at least, no levity in this custom. To ascend the pile, the daughter must sever herself from her parents, the mother must abandon her children, the female must forget the timidity of her sex, and brave death in the most frightful of all the aspects it can assume. The force that can break down barriers like these, that can rend asunder the strongest ties, and subdue the most powerful propensities of our nature, is not to be arrested by any human ordinance. It is the effect of a cause which lies deep in the religious practice and usages of the people. We say *religious practice*, because it is contended that this rite is not enjoined by any original precept of the Hindoo faith; and on this ground an argument has been built in favour of the facility of abolition. Unquestionably the Hindoo law does not *require* the widow to burn herself on the death of her husband; nor, although it prohibits her from marrying again,* and prescribes a life of austerity and privation,† does it condemn her to that abject condition, to which she is degraded by the usage of the people. The law respects her rights, as well during her widowhood, as during her coverture. She is the heir to her husband's property, in default of male, and to the exclusion of female issue. (*Elements of Hindoo Law*, p. 154.) She is enjoined 'to reside, after his death, with the son or sons of her husband, if he have left any; if not, with his other relations, among whom guardians are to be selected for her.' (*Ibid.* 243.) 'Failing relations of her husband, she is to reside with her own, enjoying their protection, and being sub-

* *Elements of Hindoo law*, vol. i. p. 240.

† *Ibid.* p. 243.

ject to their control.' (*Ibid.*) But, though not prescribed as a duty, burning is strongly inculcated as a virtue:—'to burn with her deceased husband,' says Sir T. Strange, 'is inculcated upon the Hindoo widow, not out of respect to his memory merely, but as the means of his redemption from the unhappy state into which he is believed to have passed, and as ensuring, in consequence, to herself (not everlasting indeed, but) long continued felicity.' (*Ibid.* 236.) 'Her virtue expiates whatever crimes he had committed, even to the "slaying a Bramin, returning evil for good, or killing his friend." And, for this proof of it, a kind of Mahometan paradise is promised her.' (*Ibid.* 237.) 'By the Hindoo law, as well as by ours, suicide is a crime; but the contrary is declared in this instance, the motive sanctifying the act.' (*Ibid.* 240.) But this part of the inquiry is one rather of curiosity than of importance. Where a custom is of long standing, and the people, among whom it prevails, believe that it has the sanction of religion,* it is futile to reason with them on a mere question of degree.

Let us not undervalue the obstacles against which we have to contend. All measures directed immediately to the practice will be unavailing. It must be opposed, not in its progress, but at its source. Superstition, ignorance, delusion, must be dispelled; new rights, and new duties, must be inculcated; motives, charities, affections, hitherto unknown, must be imparted; mountains must be removed; a moral reformation must be wrought in the character of the people of India. To effect this, or even to undertake it with any prospect of success, time, temper, discretion, judgment, all, in an eminent degree, are indispensable. In whatever light this subject may be viewed, it is beset with difficulties;—

'In darkness, and with dangers compass'd round;'

and he must be endowed with more than ordinary sagacity, who can discern his way to a successful and secure result. At present, we seem to have a choice of evils. If we do too little, we only provoke a resistance which we are not prepared to suppress. If we do too much, we raise a question to be solved, certainly in the blood of our countrymen, and possibly in the summary subversion of that power, on the continuance of which, every rational hope of civilizing, and ultimately Christianizing the Indian continent must depend.

We have, perhaps, wandered too widely from the work of Bishop Heber; but we must not conclude without noticing that it is edited by his widow, to whose notes we cannot pay a higher

* Elements of Hindoo Law, vol. i. p. 237. See also the opinions of the pundits at the three presidencies, in various parts of the printed papers, and the summary of the law in the papers, July 10, 1821, p. 137.

compliment than in saying that they might, in most cases, be taken for parts of the bishop's text. It is illustrated throughout with engravings on copper and wood-cuts, all after his lordship's sketches, many of which are highly spirited and elegant. It may not be improper to add, that no publisher has any concern in the property of this book, the profits of which will go *entirely* to the family of the lamented author.

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- ART. VI.—1. *Report on the Criminal Law of England*. (Ordered by the House of Commons to be Printed, April 2nd, 1824.)
 2. *A Treatise on Crimes and Indictable Misdemeanors*. By William Oldnall Russell, Esq., of Lincoln's-Inn, Barrister-at-Law. Second Edition. 1826.
 3. *A Treatise on Criminal Pleading*. By Thomas Starkie, Esq., of Lincoln's-Inn, Barrister-at-Law. Second Edition. 1822.
 4. *A Supplement to all the Modern Treatises on the Criminal Law; containing the Alterations by Statute to the Prorogation of Parliament in 1827*. By F. A. Carrington, Esq., Barrister-at-Law. 1827.

WHEN Mr. Peel, in bringing forward in the House of Commons his plans for amending parts of the criminal law, hinted that a more splendid name might attend the originator of a new code, than could ever be hoped for by any cautious improver of an old system of law, we were pleased to hear it asserted by Mr. J. C. Hobhouse, and other members, that no fame more truly valuable could be acquired than by steadily pursuing the course in which Mr. Peel himself had hitherto proceeded. We confess, we prefer the plan of inquiring into defects in our legal system productive of actual mischiefs, and remedying these by simple and practical corrections, to any bolder attempts at a general change of system—and this for two reasons: 1st, because we believe that, considering the long-established and deep root of our legal system in all our institutions and habits, and its many and acknowledged excellences, no general speculative plan of innovation could really be so productive of good,—still less be so satisfactory to the public at large,—as improvements and corrections of the existing system, contrived so as to leave its main basis and character untouched; and 2dly, because, whatever may be the merits or demerits of the system, we are convinced that gradual correction is the only practicable plan likely to be productive of any speedy results, and carrying with it any prospect of certain success unattended with danger.

The confusion, perplexity, and volume of our criminal code have

have for some time become a subject of general animadversion and growing dissatisfaction: and while these defects have unquestionably contributed to the inefficacy of the laws, and to the consequent impunity of crime, they were really without any reasonable excuse in the subject-matter of the laws. We believe that a considerable degree of intricacy and complexity must, in such a state of society as the present, of necessity belong to the civil code, which regulates all the artificial and involved rights and interests of a populous, refined, and commercial nation. But the crimes of murder, of larceny, and fraud, are marked by broad and simple characteristics, which the advance of society by no means tends to perplex in the same degree as questions of civil litigation. If any additional reason could be required for directing our attention to the simplifying, and thereby invigorating, the penal code at the present moment, it was furnished in that melancholy increase of crime to which Mr. Peel alluded in bringing forward his bills, and to which all investigations now bear testimony. Whether the game laws, or the demoralizing effects of the poor laws,—or their mischievous administration,—or the increase of statutory offences by new enactments,—whether any, or, as is more probable, all of these causes united, have occasioned the lamentable increase of committals and punishments, it has become a matter of imperious necessity to improve the criminal code, and thereby bring punishment home, with greater certainty, to guilt.

The great increase of crime, we are pleased to find, is entirely confined to thefts and crimes against property, while bloody and atrocious offences have decreased in a remarkable degree. With all the nominal severity of our law, in practice it has, for many years, made that wise distinction in punishment which Montesquieu applauded: ‘*Quand il n’y a point de différence dans la peine, il faut en mettre dans l’espérance de la grâce: en Angleterre on n’assassine point—parce que les voleurs peuvent espérer d’être transportés dans les colonies, non pas les assassins.*’ And the recent repeals of capital punishments, effected by the exertions of Sir Samuel Romilly, Sir James Mackintosh, and Mr. Peel,* have even more judiciously marked the distinctions of guilt, by making the difference in punishment matter of legal enactment instead of royal grace. Out of 14,437 persons who were in custody for crimes in the year 1825, it appears that not less

* As the improvements in the Criminal Law, recommended by the two former distinguished legislators, related to the single, though important, point of reducing the number of capital punishments, they do not fall within the scope of our present observations. Sir James Mackintosh’s committee of 1819 was expressly limited to the above *object*.

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than 12,530 were on charges of theft. During the last seven years there were 241 convictions for forgery, 111 for murder, 50 for arson, 43 for perjury; while the number of convictions for theft were not less than 45,000—an amount lamentable in itself, but consolatory when compared with the small proportion of crimes of a more heinous dye.

The deplorable increase of crimes in the mass appears from the fact, that in the seven years ending December, 1816, the commitments to gaol in England and Wales were 47,522, while in the seven years ending December, 1825, the number was 93,718, being nearly a two-fold increase in the space of nine years—an augmentation which, we fear, must be considered as five times as great as the advance of population in the same period. During the former period there were 29,561 convictions in England and Wales, while during the latter there were 63,418—an amount which, as compared with the number of committals, proves the alarming fact that not above two-thirds, or thereabouts, of the number of persons committed for offences are found guilty and punished. In either of the two views which this fact presents, it is pregnant with matter of reflection. If we suppose that the disproportion between committals and convictions arises, in any considerable degree, from innocent men being committed on unfounded suspicion, the fact is truly alarming; but if, as we take it to be undoubtedly true, the main cause of the disproportion is the escape from punishment of guilty persons not convicted by reason of defects in evidence, backwardness in prosecutors, faults in the law, and other causes, it surely becomes the most serious duty of the legislature, to render the punishment of guilt more certain by the amelioration of every thing defective in the judicial administration of the country. During the former seven years (that is, from 1809 to 1816) the number of persons sentenced to death was 4,126, while during the latter (from 1818 to 1825) the number was 7,770—an increase about in proportion to the comparative amount of crimes during the periods. But during the former period there were 536 persons executed, while during the latter there were only 579 executions—being an increase of capital punishments of only one-eleventh during a period in which crimes had nearly doubled. We are aware of the many and multifarious causes to which the augmentation of crime may, in a great degree, be traced pretty accurately; but, as long as we find such increase accompanying so extensive a reduction in the severity of punishments, we must consider it as a fact deserving of much consideration, and well calculated to awaken the most serious inquiries into the connexion between severe punishment and the repression of offences. We think it calls upon legislators to be *cautious how they consider reduction of punishments, abstractedly*

edly viewed and *per se*, as matter for congratulation. We never can regard it as such until we see clearly that, without these painful severities, the end of repressing crime is adequately effected.

It is satisfactory to find that the metropolis and its neighbourhood form an exception to the general augmentation of offences: nor should it be lightly considered that Mr. Peel, with his large practical experience of such matters, distinctly ascribes this to the more efficient police of London and the county of Middlesex. In the first seven years above referred to, the number of persons who received sentence of death in London and Middlesex was 1018, while in the latter seven years there were 1124—an increase of only one-eleventh, which must, however, be mainly ascribed to the great statutory reduction of capital punishments. But the total number of convictions in London and Middlesex during the first period was 7421, while, in the latter seven years, they amounted to 11,624, being an increase of only about one-half—instead of double, as in the country at large. In two years alone, 1786, 1787, 138 persons were executed in London and Middlesex, while in the three years ending with 1826 there were only 39 executions. The great diminution of robberies with violence from the person is shown by the fact that in 12 years, from 1810 to 1822, there were 173 executions for these offences in London and Middlesex, being at the rate of above 14 per annum; while in 1823 there were only five such executions, and in each of the years 1824 and 1825 only six. In the seven years preceding 1823 there were 140 convictions per annum for this offence, while in the three years from 1823 to 1825 the number was 110. The diminution in the number of murders appears also to be satisfactorily established. From 1810 to 1822 there were 260 convictions for murder in England and Wales, being at the rate of 20 per annum; while in 1823, notwithstanding the augmented population and the general increase of crimes, there were only 12 convictions; in 1824, 17; in 1825, 12. So much for the state of crime in the country: now for the condition of the laws made for repressing it.

In the course which Mr. Peel has pursued, both in amending and altering the criminal law, and in condensing and consolidating its diffuse provisions, he has followed strictly in the path marked out by the wisest, because the most cautious and practical of reformers, Lord Bacon, in his proposal to James I. for amending the laws of England,

‘ For the reforming and re compiling of the statute law, the which consisteth of four parts: 1st, to discharge the books of those statutes where the case by alteration of time is vanished, as Lombards, Jews, Gauls, half-pence, &c. These may, nevertheless, remain in the libraries for antiquities, but no reprinting of them. The like of statutes long

long since expired and clearly repealed; for if the repeal be doubtful, it must be propounded to the parliament.

‘ 2. The next is to repeal all the statutes which are sleeping and not of use, but yet snaring and in force: in some of those it will, perhaps, be requisite to substitute some more reasonable law instead of them, agreeable to the time, in others a simple repeal may suffice.

3. ‘ The third is, that the grievousness of the penalty, in many statutes, be mitigated, although the ordinance stand.

4. ‘ The last is the reducing of concurrent statutes heaped one upon another, to one clear and uniform law.’

In the days of Lord Bacon, the statutes of the realm were comprised in little more than two volumes; the laws of a whole century then scarcely swelled to the size of a volume; and fifteen or twenty statutes were the utmost amount of the laws enacted in a single session, although parliaments were then often disused for many years together. Yet his lordship at that day considered the multitude and intricacy of the statutes as a great evil, and complained, ‘ There is such an accumulation of statutes concerning one matter, and they so cross and intricate, as the certainty of the law is lost in the heap, as your majesty had experience last day, upon the point whether the incendiary of Newmarket should have the benefit of his clergy.’ What would have been his lordship’s expressions on the condition of the statute-laws in the present day, when they compose twenty-nine volumes; when the laws of every two years fill an immense volume; and when every session produces, on an average, above one hundred new *public* statutes, while the accumulation has no intermission from any intervals in which no parliament is sitting? What would his lordship have thought of a digest* of the public statute law occupying one thousand six hundred and fifty-eight closely printed quarto pages; and the *index* to that *digest* taking up nearly four hundred? Nor has the quality of legislation improved in the proportion in which its quantity has increased. In his lordship’s days the statutes were apt to be sometimes vague and jejune, and occasionally verbose and long-winded; but he witnessed little of that indiscriminate rage for legislation on partial interests, and peculiar topics, and special emergencies, which has, in modern days, contributed so much to the volume of our laws; or of that extreme haste and carelessness of execution which has introduced into them so much complexity and confusion. While the preparation of contracts and legal instruments has been always the work of persons of skill and experience in different branches of law, the most important of all documents—a law of the realm—has been generally left to the hasty concoction of the individual member who happened to in-

* *Digest of the Public General Statutes*, by Messrs. Tyrwhitt and Tyndall, 1822.

introduce it, or of any person whom he might accidentally employ for the purpose; while, from the various modifications and alterations to which the original draft is subject in its passage through the houses, in compliance with the suggestions of various members, and to meet the interests of various classes, any perspicuity, and brevity, and simplicity which may happen originally to belong to it, are too often obscured and overlaid by the patchwork additions which it receives.

The practice of passing what have been named 'hodge podge acts,' *de omnibus rebus et quibusdam aliis*, occasioning the most absurd confusion in the statute book, and the greatest difficulty in referring to and ascertaining the law upon any particular subject, has also sprung up and become frequent since the time when Lord Bacon thought the state of the statute law already an intolerable grievance. As Daines Barrington remarks, 'Who would expect to find a most material alteration of the Statute of Distributions of intestates' estates in a law, the title of which is, "An Act for the revival and continuance of several Acts of Parliament," 1 Jac. II. c. 17. s. 8? Where does the unlearned reader suppose he would find the important provision, that all existing and future statutes which mention England shall also extend to Wales and Berwick-upon-Tweed? It lurks in the middle of an act intitled, "An Act to enforce the execution of an act for granting to his Majesty several rates and duties upon houses, windows, or lights," 20 Geo. III. c. 42—neither the title nor the context of the law affording the least clue to this extraneous provision.' Mr. Peel's repealing act, 7 and 8 Geo. IV. c. 27., which annihilates not less than one hundred and thirty-eight statutes, many of great length and much obscurity, presents in its *index expurgatorius* some marvellous instances of these *macedoine*s of law, which seem to have been peculiarly in fashion during the reign of George II. and the beginning of that of George III. Thus the 6 Geo. II. c. 37. takes cognizance of these strangely assorted articles, viz., juries at Chester and Lancaster, cloth in the West Riding of Yorkshire, evil disposed persons going in disguise, breaking sea-walls, the cutting of hopbinds, and the prevention of thefts in the northern borders of England;—the 17th Geo. II. c. 40. is equally multifarious and perplexing in its provisions—while the 9 Geo. III. c. 41., also abrogated by Mr. Peel, regulates the fees of custom-house officers at Senegambia, compensation to receivers-general in Scotland, the preservation of hollies, thorns, and quicksets, and—the exportation of bigg from the port of Kirkwall in the Orkneys.

A knowledge of the previous state of the law on the subject-matter rarely appears to have been considered at all requisite to the legislator introducing a new law; and this culpable ignorance

rance has continually produced the most glaring incongruities and conflicts between different acts, and sometimes even between different sections of the same law. By chapter 48 of the 6th of Geo. III. a penalty of 20*l.* is inflicted on the same offence of lopping and cutting trees which had been made a felony in the very same session by the 6th Geo. III. c. 36. A short time ago it was discovered that, in consequence of the number, length, and obscurity of the statutes heaped one on another relating to stamp-duties, each statute referring back to its predecessors, a mistake had arisen as to the penalty payable to government on stamping instruments, the stamping whereof was omitted at the time of their execution. For a long series of years a penalty of 10*l.* had been charged and paid in such cases, whereas, on a close examination of the labyrinth of enactments, it was found that 5*l.* only was legally payable. It is needless to multiply instances of this sort of perplexity. From the nature of our constitution and legislative system, much of our legislation has arisen, and, we admit, must arise, from emergencies, and the necessities suggested by particular facts and cases. The power of the courts is, in England, rigorously confined to the strict interpretation of express laws; and though, in older times, when the laws were very vaguely worded, and before the constitutional jealousy of the public excluded judicial discretion, the judges did exercise considerable latitude of construction in bringing new circumstances within the equity of existing laws, yet, in later days, the line between the province of expounding and of making laws,—between the business of the legislator, and that of the judge,—has been better understood; and judges in the present day do not feel themselves at liberty to supply defects or uncertainties in the language of a statute by giving effect to its objects where its letter is silent. The consequence has naturally been, that those alterations in the law which the exigencies of society from time to time require, are all with us required to be effected by legislative interference. If a new crime becomes frequent, an act of parliament is necessary to repress it. Does a new class of interests grow up?—a legislative enactment is required for their regulation. While this has been one main cause of the multitude of our laws, it has also been, in part, the occasion of—though not a sufficient excuse for—their being frequently partial and imperfect. As the laws have been enacted to meet particular emergencies, it has not unnaturally, though not necessarily, happened that they have been too often confined to the minute object particularly within the view of the legislator, instead of being framed, in a prospective and philosophical spirit, to embrace other cases analogous in spirit, and undistinguishable in principle. Hence has arisen the immense
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accumulation of subsidiary and supplemental laws—heaped one upon another, merely for the purpose of supplying the omissions and mistakes and partial views of the framers of former laws. There is scarcely a single principle or branch of statute law which has not required a class and series of acts to complete its legislative force—to follow out its operation into all the details to which the spirit of the original law applied, but to which the legislator has not, by clear and express words, extended its operation. Mr. Uniacke, in his Letter to the Lord Chancellor,* sums up not less than sixty statutes passed as lately as the session of 1824, expressly, as their titles import, for the purpose of amending, and continuing, and repealing, and removing doubts, and explaining, and rendering effectual, and altering, and suspending, and facilitating the execution of other acts previously passed. Now, though we have no doubt but that, with all the care that can be taken, new acts must occasionally be found necessary, in order to amend, or to assist and effectuate existing laws by further provisions, yet the frequency of such supplemental pieces of legislation—so many being expressly for the correction of mistakes—certainly evinces great carelessness in the framing of the original laws. Even in cases where no particular blame is to be attached to the framers of the laws, the causes above noticed, the established habit of legislating on the basis of experience, the caution which has generally induced our lawgivers to try, by degrees, the effect of new legislative experiments, and to follow them up and extend their principle only when they have been found practically beneficial, has tended to the building up that mass of detached and voluminous ordinances which form the corpus of English statutes. The laws respecting bankrupts, the laws respecting landlord and tenant, the laws respecting elections of members of parliament, the laws respecting shipping; in short, almost every important branch of law which the legislature has found it necessary to interfere with, affords instances of this gradual system of accretion which has been long taking place in our statute law. Till within very few years, no legislator, having occasion to amend, or at least to change, the law on any particular point, ever thought of doing his work completely by ascertaining precisely the exact condition of the existing law, then nicely fitting to it his intended alterations or modifications, and then repealing the old law, and passing a new one, compounded of the old law, with the new provisions. This process of consolidation was never heard of within the walls

* A Letter to the Lord Chancellor (Eldon) on the Necessity and Practicability of forming a Code of the Laws of England, by Crofton Uniacke, Esq., Barrister-at-Law, which displays a zealous consideration of the subject, though we confess the author's views are too sweeping to meet with our concurrence.

of St. Stephen's till within these very few years. When a change has been contemplated, the uniform practice has been to pass a crude and generally hasty act ; sometimes to repeal some vaguely described portion of an old law ; sometimes to extend some portion or section of some generally, and often inaccurately described law, to some set of cases pointed out with equal uncertainty and indistinctness ; sometimes to amend the provisions of an act, &c., as far as respects something more or less clearly indicated ; often to pass a new law without the least notice of the old statutes which it materially affects : leaving it to those who have to study or to administer the particular branch of law, to ascertain, as best they may, to what extent the old law is repealed by the new, and how far it still remains in vigour. Hence no branch of statutory provisions is to be found in a clear and simple law, but in a body and congeries of laws often extending to the number of a score, and not unfrequently to the number of sixty or seventy, while each one of these frequently embraces some dozen of pages, and some score or two of sections—these pages and sections to be mutually expounded by one another, and often mutually conflicting.

This system has of late years arrived at such a height of perplexity, that even if lawyers had not enjoyed the additional luxury of a common law, dispersed in some hundred volumes of digests, abridgments, text-books, indexes, and adjudged cases, the study of the statute-book alone might be considered sufficient to puzzle the most acute, and exhaust the most indefatigable. Authors and law booksellers have profited, while lawyers have been burthened by the demand thus occasioned for digests and treatises, and synopses and indexes, simplifying and elucidating those pages which ought, if properly framed, to proceed from the legislature in a condition to be legible and intelligible to the public who have to learn them and obey their injunctions. Magistrates and officers of justice are perpetually perplexed and endangered in the enforcement and execution of laws too uncertain and confused to be precisely understood. Even judges of the highest learning and industry have occasionally erred in determining upon important rights of individuals, from overlooking some short but essential clause or act buried in surrounding verbiage foreign to the subject before them ; while, as Lord Bacon observes, with a prophetic accuracy, 'the ignorant lawyer shroudeth his ignorance of law in that doubts are so frequent and so many.' We ourselves could name a single section of a modern act, not undistinguished in Westminster Hall, which, besides occasioning divers lawsuits, has, from its ambiguous and perplexed phraseology, drawn not less than sixty learned opinions, on cases affected by it, from a
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single distinguished lawyer, thereby contributing some hundred pounds to his wealth. The statutes of the realm have thus become almost a sealed book to the eyes of the unlearned public. A country gentleman, or a merchant, could no more dream of opening the statutes and ascertaining for himself the punishment affixed to a given offence, or the period within which a certain offender must be prosecuted, than he could hope with accuracy to interpret a Runic inscription, or the hieroglyphics on a Herculeum papyrus. That this state of things has long been, must be, and is, highly unsatisfactory to the public, it is impossible to doubt. As the failures of justice and inconveniences arising from it have become more frequent, the complaints have naturally been more general and loud ; and that this dissatisfaction would have been still more strongly expressed than it has, we feel convinced, had it not been for that undoubted purity and unimpeachable integrity which has long distinguished the practical administration of the laws in all its higher branches, and which, more than any thing else, has induced the public to wink at the evils and defects belonging to the form in which our laws are embodied.

Still, however, as there is no reason why laws should not be perspicuous and accessible, as well as purely administered, the public have a right to expect that their form should be improved in all points in which improvement is attainable or desirable. And certainly those who most admire their excellent spirit, must naturally be most eager to see all causes of objection removed, which impede their beneficial operation, and bring suspicion on their wisdom and value. That branch of the statutes which relates to crimes is certainly one in which the perplexities and inconveniences before alluded to exist in great exuberance, and in which they have been attended with the most memorable obstacles to public justice, and the punishment of crime. No field could, therefore, be more truly worthy of the skill and exertions of Mr. Peel and the professional gentlemen who have aided him—none could afford wider scope for the improvements of an arranging and simplifying mind. We have hinted generally at the confusions in the statute-law. We shall give some particulars in noticing the amendments which Mr. Peel has effected. We also would refer our readers (unnecessary as such a reference is) to the excellent speech with which Mr. Peel introduced his amending acts ; which, we confess, appeared to us as admirable for its moderate and conciliatory tone, as it was curious for the details introduced, and convincing in the reasonings by which he supported the amendments and consolidations proposed.

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Of the confusion and intricacy of many of the laws affecting crime, arising from the inconsiderate manner in which they were originally framed, generally to meet particular cases, and the equal rashness with which they had subsequently been qualified or altered, so as to meet new emergencies, Mr. Peel gave some striking instances;—and a multitude of others might readily be gathered from the learned and useful works of Messrs. Russell and Starkie. There were not less than ninety-two statutes relating to the single crime of theft, from the *Carta de Foresta* in the reign of Henry III. to the 6th of George IV.; forty-two statutes relating to malicious injuries to property; and twenty statutes relating to stealing trees and timber. One of the most remarkable instances of confusion and intricacy was in the laws relating to the common crime of receiving stolen goods; and herein, in our opinion, one of Mr. Peel's most successful simplifications has been effected. There were twelve statutes on this subject, passed on the spur of particular occasions, and made to meet particular offences found to be prevalent;—in short, a sort of race appears to have been kept up between the felons and the legislature, in which we must say the breakers of the law generally showed rather more dexterity than its makers. Thus one statute made it felony to receive stolen lead, iron, copper, and bell metal; another statute applied to pewter; a third, to jewels and watches; a fourth, to all goods and chattels; and a fifth to bills, bonds, and securities. As to the metal statute (29 Geo. II. c. 30.) there were doubts whether it related merely to the materials in their raw state, or whether it extended to wrought goods: and as it did not mention pewter, the felons soon found that they might receive stolen pewter-pots with perfect impunity—to exclude them from which profitable avocation the pewter statute (21 Geo. III. c. 30.) was passed. Then, the jewel and watch statute, by a clerical error, omitted in one part of the law the essential words 'watch or watches;' so that when Esther Moses received, in 1783, Mr. Drummond's stolen watch, chain, and seals, her counsel argued that it was lawful to receive a stolen watch, chain, and seals, since there were no express words applying to them, and they did not fall within the words 'jewels, gold, and silver plate.' However, the cornelian seal being clearly a jewel, though it was doubtful whether a gold watch and chain were gold plate, we believe Mrs. Moses was, with difficulty, shipped for Port Jackson. But the confusion was not merely as to the kind of property, the receiving whereof was punishable; there were moreover endless subtleties and distinctions as to the degree of the offence and the mode of prosecution and trial. At common law the bare receiving the
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goods stolen was no felony, but a misdemeanor. Then a statute of William made the receiver an accessory after the fact to the felonious thief ;—but then the accessory could not be tried for the felony unless the thief was convicted ; nor for the misdemeanor, because it was merged in the felony ;—and besides, if it happened to be a petty larceny, in petty larcenies there could be no accessory, all being principals. Accordingly the receiver used to employ the thief, and contrive to get him out of the way, and then quietly enjoy the stolen goods and laugh at the defective law. Then the legislature, by another law of Queen Anne, in order to be even with the receivers, made the offence of receiving, a misdemeanor punishable by fine and imprisonment, though the thief were not previously convicted. But the renowned Jonathan Wild, Proteus-like, evaded the '*nodus*,' when indicted for a misdemeanor in receiving, by showing that the thief had before been tried and hanged, and that the statutes made receiving a misdemeanor only when the principal felon could not be taken and convicted. This loop-hole was partially closed by subsequent acts, but still their specific enumerations of goods left many cases unprovided for. Then it was thought desirable to make receiving triable as a felony, whether the thief could be taken or not ; but the desire miscarried, and the statute of 3 Geo. IV. c. 24. s. 3. passed for that express object, was *declared by the judges to be so loosely worded*, that no indictment could be framed on it. These are only a portion of the subtleties and intricacies attending the law on the simple and frequent offence of receiving stolen goods, which Mr. Peel has, successfully, swept from the statute book. This he has effected by a simple and philosophical enactment of about ten lines, providing that whenever the offence of stealing or *taking* the article, whatever it may be, is a felony, the receiver receiving it knowingly shall be guilty of felony : where the offence of taking is a misdemeanor, the receiver shall incur the like guilt of misdemeanor :—that he may be tried either as an accessory, or for a substantive felony—and this whether the principal felon shall have been convicted or not, or shall be amenable to justice or not—and whether the stealing amount to felony at common law, or by virtue of that act ; and all the niceties as to the county where he is to be indicted are removed by providing that he may be tried and punished in any county or place where *he* shall have *had* the property, or in which the principal felon may legally be tried. A more judicious melting down of complex, cumbrous, and rusty mechanism cannot be conceived, and the reduction in size is, in its way, scarcely less valuable than the simplification in principle. The new provision of 7 and 8 Geo. IV. c. 29. ss. 54, 55, 56; *embodying* and amending the former twelve acts, and comprizing
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the whole law on the offence of receiving stolen goods, is comprized in three short sections.

Similar anomalies and mischiefs arising from the same cause, —of partial and hasty legislation to meet particular cases, without reference to any general principle—are without end in the statute book ; producing the double evil of length and multitude of statutes, and of defects and omissions never discovered—till new offences occur, and pass unpunished for want of a general provision to meet them. Thus, when it was found a common offence for lodgers to steal plate and furniture from the lodgings they hired, a clause was passed in 7 Will. & Mary, c. 9. to meet the particular case ; but instead of being framed to meet other analogous cases, it was confined strictly to stealing from '*lodgings*;' and, accordingly, when Charles Palmer was charged with stealing plate from a ready-furnished *house* rented by him at Brighthelmstone, he escaped—because it was found that the words of the statute did not apply, and that the offence could not be punished as a common-law larceny, since the offender had *the lawful possession* of the house and goods. Mr. Peel has remedied the defect by a general clause, and this is extended to fixtures as well as goods, which were not included in the former law. Again, what the law calls *choses in action*, that is, bills, notes, bonds, being of no intrinsic value, could not be the subjects of larceny at common law ; though certainly there was no great wisdom in allowing an offender who had stolen a thing to defend himself on the ground that what he had thought worth stealing was of no intrinsic value, or to urge in grave men's hearing that a security which represented and produced money possessed no legal worth. This inconvenience was remedied by statutes making it criminal to steal certain specific kinds of securities ; but still it was found that securities in foreign funds, &c., had been omitted, and that it was not punishable to steal them. Mr. Peel has provided for this omitted species of security, (now become so common,) and to prevent difficulties in the denomination and description of the instruments, has provided that all the class may be described by the terms '*valuable security*.'

The old legal doctrines as to the character of landed property introduced many absurd and mischievous niceties into our criminal law. To lay down that it should be no felony to steal lands (*viz.*, to purloin a manor, or to pocket a farm) was harmless enough, though perhaps superfluous ; but when this doctrine was extended to goods and chattels *fixed* to the freehold, and *severed* by the thief, it seems to have been a quibble worthy only of Counsellor Botherum to say the thief should not be punished for stealing a door, or lead, or trees, or corn, because, though he had by his

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own hand destroyed their character of fixedness, still the law—as if for the object of letting him escape—*presumed* them to be *immoveables*, and at least to ‘*savour of the realty.*’ This perverse fiction was actually carried to the length that title-deeds in a box might be taken with impunity, because they ‘concerned the realty.’ Considering that such a theft may occasion the most serious mischief to the owner, we think Mr. Peel has wisely made it a misdemeanor, punishable by transportation for seven years. Another absurdity of a similar kind was in the case of animals *feræ naturæ*. There can be but one reason for the law not recognizing a property in such animals—viz. the physical fact of their remaining in a wild and unappropriated condition. But when this ceases,—when the animals, whatever they are, become *domitæ naturæ*, there can be no reason for not regarding them like other property; and to a certain extent the courts felt compelled so to do—but then they capriciously extended protection only to certain animals which they chose to consider as exclusively valuable,—for example, horses, and such as furnished food. Accordingly, all birds, beasts, &c., kept for pleasure and curiosity—all His Majesty’s menagerie, the Giraffe included—though of higher value in money than half the animals used for food, might be stolen or injured with impunity, the law absurdly refusing to consider as *property* creatures which cost the owner a high price, because Lord Coke had ranked them as *feræ naturæ*. The following passage from his lordship’s renowned ‘Case of Swans’ will show the subtleties of the law on this matter. ‘But when a man hath savage beasts *ratione privilegii*, as by reason of a park, warren, &c., he hath *not any property* in the deer, or conies, or pheasants, or partridges; and therefore in an action, *Quare parcum, warrennum, &c. fregit et intravit et tres damas, lepores, cuniculos, phasianos, perdices cepit et asportavit*, he shall not say *suos*, for he hath no property in them, *but they do belong to him ratione privilegii* for his game and pleasure, &c., nor can felony be committed of them,’ &c. Dog-stealing was prohibited only in the reign of George the Third. Mr. Peel has extended protection to all beasts and birds kept in a state of confinement, and made the offence of stealing any of them which are not subjects of larceny at common law, punishable by a penalty of 20*l.*, in addition to the animal’s value, recoverable summarily before a justice.

The laws respecting the trial of principals and accessaries were previously very faulty, and gave occasion not unfrequently to the escape of heinous offenders. In ancient times, indeed, the actual *attainder* (not merely the conviction) of the principal was necessary before the *accessary* could be proceeded against: but attain-

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der did not follow on all kinds of conviction, as, for instance, where the party stood mute of malice, or refused to answer, or challenged more than the legal number of jurors—here he was indeed punished by statute, but there was no attainder, and, consequently, any accessory to the crime escaped. Accordingly, Weston, the principal actor in the detestable murder of Sir Thomas Overbury, (as Sir M. Hale relates,) for a long time could not be prevailed upon to plead, in order that the Earl and Countess of Somerset, his hirers in the bloody scheme, might escape punishment. This absurdity was removed by a statute of Queen Anne—but others remained. The distinction itself between accessaries *before* the fact and principal offenders, that is, between the counsellor, or procurer, or payer of a thief, and the thief himself, seems to rest on no very solid foundation; and this the law, indeed, appears to admit, since it is only in felonies that this artificial classification is recognised; while in treason, (the highest of legal offences,) and in trespasses and misdemeanors, (the lowest,) there is no such distinction of characters, and all concerned are principal offenders. Why the hirer of a burglar should be only an accessory before the fact, while the hirer of a Regicide is a principal Regicide, and the hirer of a swindler an actual swindler, it is difficult to state on any satisfactory grounds. But the theoretical incongruity produced practical evil. From the offence of the accessory being considered subordinate*, and depending entirely on that of the principal, the accessory could not be punished unless his principal was amenable to justice; though it frequently happened that there might be conclusive evidence of the counselling, or planning, or paying, by the accessory, when the facts of the crime itself might not be capable of conclusive proof against the principal, or when, from other causes, he might not be amenable to justice. This was not all. It would naturally be supposed that, when the principal was convicted by judge and jury, his conviction would be conclusive against the accessory, so far as to

* There were, indeed, sometimes cases, in old times, when the accessory appears to have been principal in the punishment, though accessory in the crime; as, for instance, in the Year Book, 18 Edward IV. 9 B., where the principal being outlawed, the accessory pleaded to the indictment, and was found guilty and hanged, and then the principal reversed the outlawry, and was tried on the indictment, and found not guilty; 'and yet,' says the book, 'it cannot be contended that the accessory was guilty, inasmuch as the principal was acquitted.' However, notwithstanding the impossibility of such a desirable intentment, the proceeding appears to have been judicially approved, for in the 2d Richard III. 21 B., where an outlawry was prosecuted against an accessory for this, that the principal had been outlawed on an appeal, it was objected by counsel that there was error in the principal's outlawry, and, therefore, the accessory ought not to be put to answer thereupon. 'Fairfax, Justice—Although this which you speak of were error, (but it seems to me that it is not) yet the accessory shall be put to answer, *car il n'est inconvenient*, that the accessory shall be hanged, and the principal acquitted.'—See 5 *Barn. and Cres. Rep.* 546.

preclude his defending himself on the ground of his principal's innocence: but yet this was actually allowed, and the accessory might, in every case, try over again the case of his principal, and contend that the verdict of the jury convicting him was wrong; and this, not merely on the ground of new facts which had subsequently transpired, but by making technical and formal objections to the conviction; by showing that his offence was of a different species of felony from that of which he was convicted; or by contending that it was a fraud instead of a felony, or other similar quibbles. Then again, previous to a statute of the 43d Geo. III., the accessory even *before* the fact could only be tried in the county where the *offence of being accessory* had been committed, which frequently could not be ascertained. By that statute *he* was made triable also in the county where the principal felony occurred. But the law still remained in the old state as to the accessory *after* the fact, who, till the date of Mr. Peel's alterations, could only be tried in the county where the fact of being accessory had been committed. Accordingly, when Lord Cowper's mansion in Hertfordshire was robbed, in the last year, of the amount of rents received by his steward, and one of the most guilty of the parties, the man who received and distributed the plunder among the gang, was indicted as accessory after the fact, at the Hertford Assizes, he was acquitted, because, although unquestionably accessory to a burglary in Hertfordshire, no act could be proved upon him individually in that county. He was then indicted at the Old Bailey Sessions, but the prosecutor again failed—not being able to prove any receipt or distribution of the money by the man *in London*. At last it was discovered that he had received some of the money in Surrey, and in Surrey he was accordingly indicted and convicted; but not till these triple proceedings had occasioned an expense of 426*l*. This evil is now entirely remedied by the provision, that the accessory after (like the accessory before) the fact may be tried either in the county where he becomes accessory, or in that where the principal felony is committed: so that, in the case before mentioned, the man might have been convicted at Hertford, though he received the money in Surrey; and with respect to the inconveniences above alluded to, touching accessories before the fact, they are removed by the provision, that he may be tried as a substantive felon, whether the principal felon be amenable to justice or not. And this provision is judiciously made to apply to all felonies, by virtue of any statutes '*made or to be made.*'

The want of these three essential words (which Mr. Peel uses where necessary) has occasioned questions and perplexities in various branches of statute law, some of which Mr. Peel has already removed. In passing an enactment operating upon a class of offences

offences or felonies, for want of these words, the enactment has frequently been limited to such felonies or offences as were in existence at the time of the enactment being passed;—and then a string of statutes are afterwards framed, which, without the least distinction in principle, happen not to fall within the letter of such ill-penned enactment—from its not applying in terms to felonies or offences created subsequently to its date. Thus, for instance, from the negligent penning of many of the old statutes taking away the benefit of clergy from various offences, the benefit was, by the limited words of the statute, only taken away in case of the prisoner's conviction by *verdict or confession*; and the cases, of his conviction on standing mute and refusing to plead, or on challenging peremptorily more than the legal number of the jury, or on outlawry, in which the punishment could on no reasonable ground be different, were altogether omitted; and accordingly, one prisoner might be convicted of a felony by verdict, and suffer death, and the next day another might be convicted of the very same offence on his obstinately standing mute; and yet his offence was clergyable, and he was merely burnt in the hand and whipped, or, in latter days, transported. The 2d section of 3d William and Mary, c. 9, was passed in 1691, to remedy this absurd anomaly; but then, for want of prospective words, it only applied to felonies *previously* existing. Another statute, the 12th Geo. III., in 1771, was passed for the same object, but, from the same defect, it applied to no felonies created since that time. Mr. Peel's law provides, once and for all, that where clergy is taken from the offence, the offender shall be equally excluded, whether convicted by verdict, by confession, or in any other manner; and this whether the excluding statute is already made or afterwards to be made.

The first alteration introduced by Mr. Peel's first act for improving the administration of criminal justice in England, 7 Geo. IV. c. 64, is one which appears to us highly important, and likely to be attended with valuable results. It gives to two justices of the peace the power (before possessed only by the Court of King's Bench) of admitting to bail persons charged with any description of felony. Before this act, a magistrate, on an accusation of most felonies of a serious nature, was compelled either to discharge or commit the individual. And it was only in cases of lesser felonies and misdemeanors that he was authorized to take bail for the party's appearance; the law appearing not sufficiently to consider that there was just the same chance of the party accused of robbery or house-breaking being altogether innocent, as in the case of a person charged with purloining a mackerel or knocking down his neighbour. Though the author of the *Mirror of Justices* drily assures us that

such high offenders have no other sureties but the four walls of the prison; yet we cannot but think that such sureties are more fitted for persons convicted than for persons merely accused. That the security of bail is less efficacious in proportion as the charge is more heinous cannot be denied; but still we think that the taking or refusing bail should be mainly governed by the greater or less presumptions of guilt appearing on the preliminary examination, rather than by regard to the degree of the crime charged. By the ancient common law, all felonies whatever were bailable; and it is only by a variety of statutes that all the confused distinctions have been introduced, and the law, as to what offences were or were not bailable, rendered so perplexed, that Blackstone himself only ventured to sum up the result doubtfully. Mr. Peel's act has repealed the former statutes on the subject, getting rid of the provisions as to the sheriff's taking bail, which were intricate and in great degree obsolete; and instead of arbitrary and capricious distinctions between different descriptions of felony, made without regard to any general principle, the new act introduces one uniform and clear principle applicable to all felonies. It in no case confides the power to a single justice; but directs that where one justice, on a prisoner being brought before him, finds that the evidence neither raises a strong presumption of guilt, nor warrants a discharge, he shall remand the prisoner to be taken before two justices: and, if the case (either appearing on the prosecutor's evidence, or on the joint result of that of the prosecution and that offered for the prisoner) does not produce a strong presumption of guilt, these two justices may admit the prisoner to bail. Previous to this statute, the magistrates, on the preliminary examination, had no power of hearing any evidence for the prisoner. The discretion thus vested in them of doing so seems to us an important improvement, tending to make the examination a more certain criterion of the guilt or innocence of the accused, and thus to prevent the great evil of ineffectual commitment. These provisions will, we think, occasionally have the effect of saving an innocent individual from the hardship of some weeks' or months' incarceration, from which he cannot be liberated without irreparable injury, and rarely without contamination to his character; and they will also prevent the more common evil of individuals being discharged altogether, from the reluctance of the magistrate to commit on slight suspicion, though he would not hesitate to require bail, if empowered so to do.

The requiring depositions to be taken by the magistrate, and returned to the assizes, in cases of misdemeanor as well as in cases of felony, where alone it was necessary under the old law, is also, *we think*, an useful improvement. No valid reason, we conceive, can

can be assigned for requiring them in the one case, which does not almost equally exist in the other, seeing that misdemeanors are often as intricate in their details as felonies, and that unless the depositions are returned, the judges are without any information on which they can instruct, or explain a difficult case to, the grand jury. And the power of binding the parties to appear and prosecute, which was formerly wanting in cases of misdemeanor, is now judiciously given to justices. The same unwise distinction—between felonies and misdemeanors—also formerly prevailed, as to the power of trying offences committed on the boundaries of counties. The former species of offence was triable in either of the counties; but there was no similar provision as to the latter. Again, if the offence was begun in one county and completed in another, there was no general provision for its being tried, whether felony or misdemeanor, in either; though certain particular crimes were by particular statutes made so triable. From these defects arose a world of subtle doubts and discussions, as to the county wherein the *substance* of the offence must be considered to be committed.* By Mr. Peel's Act, misdemeanors, as well as felonies, committed within five hundred yards of the boundary of any two counties, or begun in one and completed in the other, may be tried in either. In case of murder, where the poisoning or stroke happened in one county and the death in the other, at common-law the murderer could be tried in neither. Then the statute of 2 and 3 Edw. VI., c. 24, made him triable in the county where the death happened. But Mr. Peel's act has repealed this statute, this case being, doubtless, considered as falling within the above enactment—as an offence begun in one

* The same niceties as to venue occurred in civil actions, arising from the original constitution of juries, which left questions to be decided by the jurors' own actual knowledge of the facts, and not, as in modern times, by evidence adduced before them. While this system continued, it was of course essential that the jurors should be *de vicineto*, from such near place, the inhabitants whereof, as Lord Coke says, may have the better and more certain knowledge of the fact. The practice, however, of requiring neighbours and hundredors on the jury continued long after the reason ceased, by juries trying solely on evidence, as they do now, and without being allowed to import into the case any private knowledge of their own. Le juge tres reverend Syr Robert Brooke, Chivalier nadgaits Chief Justice del Common Bank, reports as follows in his learned Abridgement. 'Le defendant assume en Lond. de cure le wound le plaintiff et met contrary medicines in Middlesex, per que plaintiff fuit impaire.—*Thirn, Justice*. S'ils prene issue sur le assumpsit visne sera de Lond. et si del contrary medicines tunc de Middlesex, acc. le case in Fitzh. 37.' For the benefit of those who are not serjeants del ley we translate the case—'The defendant undertook in London to cure the wound of the plaintiff, and applied contrary medicines in Middlesex, per quod the plaintiff was impaired.—*Thirn, Justice*. If they take issue on the assumpsit, venue (the jury) shall be of London; if of the contrary medicines, then of Middlesex, according to the case in Fitzherbert 37.' The general issue would now deny both the undertaking and the impropriety of the medicines, and the plaintiff might try his cause at pleasure in London or Middlesex,

county and completed in another. Probably it would be so held—but we think we know astute brethren of the coif, who would make a copious argument in favour of a prisoner in such a case, on the ground that the completion of an act must be considered to have an active sense, and to mean something more than the mere death happening in one county, without any *act* of the murderer *there*; and therefore, perhaps, this case is now not so clearly provided for as it was under the former law. At common law, in stating offences against the joint property of several individuals, whether partners or not, it was necessary to state all their names; and any variance in these was fatal to the indictment, though entirely immaterial to the question of the prisoner's guilt. This had only been partially remedied by two elder statutes; but by Mr. Peel's Act, in all such cases, (including the case of joint-stock companies and trustees,) it is sufficient to state the goods, &c., as the property of A. B. or C. D. *and others*; and the proviso extends to misdemeanors as well as felonies. This rational rule has now become an universal rule of law, which will render it unnecessary any longer to introduce such a clause, as was generally done, into private acts for incorporating companies and public bodies. The provision as to stating stolen property, in indictments, to belong generally to turnpike-trustees, commissioners of sewers, inhabitants of counties, &c. without naming any of them individually, is also highly useful, and will prevent many failures of justice, which were used to spring from technical variances between the letter of the statement and the truth of the facts.

Another most important improvement is that effected by the twentieth section of Mr. Peel's first act,—which provides that no defects of form, such as the want of stating the offence to be 'with force and arms,' or 'against the peace,' or 'against the form of the statute;' or mistakes as to time or place; or the absence of any other matter unnecessary to be proved, shall be grounds for staying or reversing any judgment, for any felony or misdemeanor, whether the judgment is grounded on verdict, confession, or outlawry. All these and similar formal defects had been long ago cured, as lawyers call it, by a verdict *in civil actions*, under the operation of several healing statutes. But in *criminal proceedings* they still remained fatal objections; and instances have frequently and recently occurred, wherein parties clearly convicted by a jury of capital felonies, have afterwards escaped punishment, because the indictment wanted the words 'prout patet per recordum,' or 'vi et armis,' or 'contra pacem.' Some persons may, perhaps, conceive that Mr. Peel's Act should have gone farther, and provided, not merely that a verdict or judgment should set at rest all such objections, but that a prisoner should

should not be allowed even to make them by a demurrer to the indictment; but we confess we think he has done right in allowing such objections still to be made on demurrer. Not to leave some mode of taking advantage of these informalities would be, in effect, to abrogate the forms, and declare prosecutors at perfect liberty to prepare their proceedings with whatever degree of capricious laxity they might think proper. We think it better that the old forms should be preserved. In cases of misdemeanor, there is the less fear of persons availing themselves of the privilege of demurring, since, if their objection happens not to be tenable, the demurrer is an admission of all the facts in the indictment, and they cannot afterwards plead, and take their chance of a trial; but, in cases of felony, Lord Hale and Blackstone doubt on the point, whether the judgment, on a demurrer against the prisoner, is or is not final. This, however, seems of little importance, since it is now pretty well settled which of these forms are necessary, and which are not, and there is not much chance of a prosecutor joining issue on a demurrer, to argue any such questions. The course, therefore, in case of a prisoner demurring, would be, we apprehend, either to present a new bill, if the grand jury were still sitting, or, if possible, to get leave to amend the error. But we find no provision for amending indictments in such case in Mr. Peel's Act; and as it seems to be at least doubtful whether the court, without the jury, can amend formal defects in indictments, under the existing statutes of amendment, it certainly strikes us that some provision ought to be made for a speedy amendment of the indictment, in case a prisoner should demur, for any of those defects which are still objectionable on demurrer. We observe that such a provision is made for amending by the court in case of a plea of *misnomer*. Another clause in Mr. Peel's Act prevents various other formal objections being made to the proceedings after verdict—such as mistakes in directing the jury-process to a wrong officer, misnomers of any of the jury, or of the officer returning the process, &c.

The precision naturally, and most properly, required in the framing of statutes, the effect whereof was to subject men to imprisonment and death, demanded, as is well known, the exact specification of every class of persons, and of every subject-matter involved in the law,—with the fit application of words both of singular and plural number, (though Mr. Uniacke pronounces that, '*on the authority of Magna Charta*,' the singular is sufficient, p. 26,) and of masculine and of feminine gender, and the distinct setting forth of bodies corporate, as well as individuals. Nothing, we think, is more unwise than to sneer, as inconsiderate persons sometimes do, at a precision of style which proceeded from the wise desire of making penal laws cer-
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tain and explicit, and which had in view a most wholesome object in favour of the security of the subject. We, nevertheless, can see no objection whatever to an express law like Mr. Peel's clause, enacting precisely to what extent this precision may be relaxed, and that henceforward, as a rule of construction, whenever a statute shall use words importing the singular number or masculine gender, these shall include the plural number and feminine gender, and shall extend to bodies corporate as well as individuals, unless such interpretation should be manifestly repugnant to the context of the act. When the legislature has declared this rule of construction to be applied to its own acts, there can be no danger or inconvenience in its adoption; but we think it was the province of the legislature to do it, and that any judge who, in construing a penal law, had departed in the slightest degree from that strict interpretation for the security of the accused, which is established by our law, would have departed unwarrantably both from precedent and from duty; and if it so happened that the prisoner was, for any cause, in favour with popular writers, we are sure any judge so acting would have subjected himself to a full share of that ignorant abuse which is now frequently poured forth on conscientious men for administering the laws as they find them, and not daring to stretch these to the right or the left, in order to meet their own or the popular views of the justice or injustice of any particular case.

We understand a clause was under discussion for relaxing the rules of law, as to variations between the statements in the indictment and the proof at the trial, but that, on mature consideration of the matter, the learned judges (to whose assistance, as well as to that of other lawyers, Mr. Peel acknowledges great obligations) were unfriendly to the adoption of any such clause, as tending to introduce a laxity in criminal pleadings, at once injurious to prisoners, and perilous to the public. The truth is, the failures of justice occasionally resulting from defects in pleading, are to be ascribed to the carelessness or ignorance of practitioners, and not to the vices of the system; and, however the system were altered, it could never provide effectually against mischiefs arising from these causes. When a felon is acquitted on a charge of stealing a colt, because in evidence the animal stolen turns out to have been a filly—or when a person charged with manslaughter in furious driving* of a coach ‘drawn by two geldings and two mares,’

* We are glad to see this offence calling down severe punishment. Chief Justice Best, in his charge to the grand jury of Wiltshire, 1827, says on this subject, ‘If there was negligence in the conduct of both or either of the drivers, the person or persons to whom such negligence is imputable should be proceeded against for manslaughter; and, if duly convicted, I shall take care to award such punishment as the circumstances of

mares,' escapes because there is no evidence to establish the allegation as to the sex of the animals, the public observe with natural and proper disgust so serious a mischief resulting from so small an error. But the observation of common sense is,—Why was the indictment drawn so inaccurately?—Why did not the framer either ascertain what the fact was as to the sex of the animals—or, if that was impossible, make use of the generic term, *horses*, which is all that the law requires; or why, at least, did he not render escape impossible, by inserting two or more counts, to meet any possibility? Any one of these modes would have prevented the escape of the offender, and the carelessness of neglecting such precautions is the only fair object of censure.* But, when the newspaper legislator gets hold of such a case, he endeavours, by an exaggerated tirade, to persuade the world that all the blame rests with the law, and with that salutary and constitutional rule of law, which requires that a man shall, on his trial, be strictly proved to have committed the very offence charged upon him, and no other. So long as this rule is upheld, every Englishman is secure that he cannot be accused and condemned on a charge of which he has not received exact intimation; while the records of the courts will be sure to furnish accurate particulars of the crimes of which any individual has been convicted or acquitted—and thereby to supply him with a ready defence, in case of a second accusation for the same act. In some occasional instances, the adherence to the rule may cause a failure of justice, which is only what must sometimes happen as to every general rule; but it is obvious, that the rule must cease to be one, if the judge, in each particular case, is to decide whether it is fit to abide by the rule or to disregard it. Care and knowledge on the part of practitioners are all that are required to prevent the escape of offenders on the ground of such variances;—but if the rule were relaxed in such instances as those above alluded to, the next step would be to charging a man with stealing a horse, and proving him guilty of stealing a sheep—from which it would be no hard advance to accusing another of murder, and convicting him of a larceny; or, to charging a third with treason, and finding him guilty of publishing a libel. In short, every relaxation of the rules as to variance, which require

of the particular case, and the necessity of checking furious driving, require. I include within the term "negligence," not only careless driving, but exciting the horses to such a rate of speed that they cannot be stopped or properly directed, the knowingly driving unbroken or vicious horses, overloading a coach, or using one that has not sufficient strength, or improper harness.'—p. 12.

* One of the counsel for the prosecution in the case to which we allude, did actually frame the indictment with the general term 'horses,' which would have avoided all difficulty, but it was altered by a subordinate practitioner, and the unnecessary particularity introduced which occasioned the failure of justice.

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that a party must prove, whether in civil actions or in criminal pleadings, what he alleges on the record, would open the door to the admission of wider discrepancies, and the sanctioning of looser and more negligent statements, till the declaration or the indictment, instead of effecting its object of conveying accurate information to the defendant or prisoner, as to what charge he was to meet, would tend rather to mislead and perplex him. The occasional inconvenience of a failure of justice in a particular case, (which can rarely arise but from carelessness or ignorance in the practitioner,) is, we conceive, abundantly counterbalanced by the utility of the general rule.

We are happy to see the form of the arraignment, and pleading not guilty, simplified, and freed from the absurd '*Culprit*, how will you be tried?' an unintelligible form, which has baffled all etymologists. Blackstone derives it from the corruption of the replication of the clerk of arraigns to the plea—non culpabilis. '*Cul*-(for culpabilis,)-'*prit*,' that is, 'ready to prove you so.' We have heard another conjecture, that the clerk, after the plea of not guilty, expressed a benign wish, in bad French,—'*Qu'il parait*—may it appear so,' which was corrupted into the word '*culprit*'—we leave the point to the Antiquarian Society.

Twenty years ago, Mr. Christian observed, 'that it would have been more consistent with the dignity of a court of justice to have granted the benefit of clergy, without requiring an unnecessary form, the meaning of which few persons comprehend.' But the alteration was left for Mr. Peel to effect, who has simply abolished the form, and has, by two short sections, provided that no person shall suffer death for any felony, unless for felonies excluded from the benefit of clergy before the passing of the act; and that felonies, not punishable with death, shall be punished in the manner pointed out by the statutes specially relating to them; or, if no special punishment be provided, by transportation not exceeding seven years, or imprisonment not exceeding two years. It is really surprising, considering that the privilege of clergy has entirely fallen from its original character and design, for at least four centuries, that the legislature should have so long retained the form merely as a clumsy and indirect mode of distinguishing capital from lesser felonies. Mr. Christian suggests, as an objection to it, that if the criminal, however small the offence, obstinately refused to pray the benefit of clergy, the court would be compelled to pass sentence of death upon him; an act of parliament, however, was hardly necessary to obviate such a possibility. A more serious evil was, that the benefit could only be enjoyed once, and accordingly the felon was liable to suffer death for the second offence of felony, however slight its character:

racter: in addition to which, the allowance of the benefit was a pardon for all clergyable felonies previously committed, so that crimes afterwards discovered could not be punished. The form, also, was highly objectionable, as perpetually calling to mind a barbarous and obsolete privilege, and still more in leaving death as the nominal punishment in a multitude of cases where the law appeared rather to wink at its evasion by an obscure form, than clearly and directly to class the crime as a lesser offence subject to a minor punishment. Mr. Peel's repealing statute also abrogates the unjust provision of Edward VI., that peers should have benefit of clergy, although they could not read, and without any of the penal conditions which were the price paid by other subjects—a law called into action on the memorable trial of the Duchess of Kingston,* when, by virtue of the clause, she was discharged, on conviction of the crime of bigamy, without the slightest punishment. Sir M. Hale mentions, that a peer had been once burnt in the hand on taking the benefit of the act, under an erroneous construction of it by the judge.

The court, under the new act, are empowered to award solitary confinement for the whole or any part of the term of imprisonment affixed to any offence; and we believe this is the first instance of solitary confinement being authorized by any English statute. The privation of liberty seems to have been thought punishment sufficient in case of ordinary crimes, and the dreadful seclusion from all social intercourse has hitherto been reserved for the lot of state-criminals alone. We cannot help thinking—though we are aware of various opinions on the subject, held by experienced observers of the habits of prisoners—that, within proper limits, the practice may be beneficial; and we are much inclined to believe, that the horrors of incarcerated solitude, for a few months, would often leave a more salutary impression on the mind of the criminal, than twice the space of confinement spent in the society of his fellows in guilt; and the consequent diminution of the length of confinement would be a great advantage in many points of view.

The general tendency of Mr. Peel's alterations has been to diminish, and never materially to increase, the severity of statutory punishments—a mitigation which we are disposed to think, in the degree to which he has effected it, is not likely to be attended with dangerous consequences;—and which, in these new laws, is most judiciously made to accompany new regulations for rendering conviction more certain, and preventing the escape of offenders. Transportation for life is now made the punishment for several offences which were before capital, and for some

* 11 Sta. Tri. 263.

others which were before less severely punished. We agree with those who think this more extensive application of this punishment highly salutary, especially in cases of second offences of larceny, where the confirmed vicious courses of the prisoner leave no chance of amendment, and where the old law inflicting death was yet so severe as to have become a mere dormant letter. When guilt arrives at a certain point of infamy and aggravation, we believe the entire removal of the individual to a new scene of life, affords at once the only security to society against his future crimes and the contagion of his habits, and the only chance left for himself of regaining decency and respectability. The punishment of common larceny is now fixed at a maximum of seven years' transportation, whereas, before, that offence might be punished with transportation for fourteen years. The stealing of fish in ponds or waters in gardens or inclosures belonging to dwelling-houses, which was before a felony, punished with transportation for seven years, is now also made merely a misdemeanor; and a compassionate clause prevents the innocent angler from becoming a criminal, by providing that, for unlawfully angling in an inclosed garden, or land, he shall pay five pounds for his diversion, or two pounds for angling in water not in such garden, &c., and that if his tackle be seized, that shall stand as an equivalent to the penalty. Accessaries *after the fact* to the offence of horse-stealing are no longer punishable with death, as it seems, but only with two years' imprisonment—unless in the case of their being receivers of the stolen property, in which case they may be transported for fourteen years. It may, perhaps, be questionable whether there is wisdom in establishing so wide a difference between the punishment of the accessary *after* the fact, and that of the principal, in a crime of so common occurrence—and to the committing of which, from the high value of the animal, and the facilities of transporting it rapidly to a distance, and of sale, there must always be such strong temptations;—and whether it would not be well to reserve a discretionary power of transportation. The accessary *before* the fact, who counsels or hires the principal to steal the animal, may suffer death with the principal, while the accessary *after*, who assists in the sale or the removal of the horse, or shares the price, would come off with two years' imprisonment, for an offence not very widely different in moral guilt or in the mischief which it occasions. The law respecting the capital offence of burglary is considerably mitigated, by providing that buildings shall not be considered dwelling-houses, so as to render the breaking of them burglary, unless they are connected with a dwelling-house by some internal communication—whereas before, the breaking by night into any barns or houses, &c.,
situate

situate within the curtilage of a dwelling-house, was a capital offence of burglary. The capital crime of stealing in a dwelling-house, to the value of forty shillings, is now altered by raising the sum* to five pounds. The former sum having been fixed in the reign of Queen Anne, this increase of the value which is to constitute the capital offence appears to be judicious.

At common law, prosecutors and witnesses were not entitled to be repaid the expenses incurred in a prosecution for a public offence—a defect in the administration of criminal justice tending to the escape of offenders, which was partially remedied by statutes of George II. and George III. ; but their provisions only applied to cases of felony. The new provisions of Mr. Peel's act, for reimbursing the expenses of prosecutors in misdemeanors, as well as felonies, we consider an important and valuable improvement, removing a distinction which rested on no solid foundation. The greater part of misdemeanors are in effect as much public offences, requiring prosecution for public good, as felonies—and it is to such public misdemeanors only that the provision is applied. Nothing, we conceive, can be more unwise than to throw any obstacle or discouragement in the way of prosecuting and punishing those lesser offences, the committing which, with impunity, forms the most ordinary temptation to crimes of a more heinous kind. Why the party prosecuting and convicting another of receiving stolen goods, or perjury, or riot, or attempts to commit felony, should be driven to prosecute at his own expense, while the county was bound to reimburse the expenses of the party prosecuting for robbery or murder, cannot be accounted for on any reasonable principle. The only offences, the expense of prosecuting which should be thrown on private individuals, are those of assault, libel, and the like ; where, though the public justice is certainly interested, yet the evil committed is mainly a grievance to the individual only. Whether or not it be desirable that prosecutions should be altogether taken out of the hands of private individuals and vested, as in Scotland, in those of a nominated public prosecutor, is a most important question, which we shall not now consider at large. Mr. Peel has expressed himself as somewhat friendly to such a plan : we have no fear that he will seriously propose its adoption without being satisfied that mischiefs do result in practice from the present system, and that these are likely to be removed by the substituted mode, without introducing equal inconveniences of another kind. It should be remembered that by much the greater proportion of crimes are committed against persons of some substance and property, to whom the attendance and loss of time accompanying a prosecution, though certainly disagreeable, are, we conceive, by

no means so prejudicial and irksome as may sometimes be supposed. While effectual provision is made, as is now the case, for reimbursing such persons as choose to ask it in their full expenses, and compensating them properly for their loss of time, we are inclined to think, no great reluctance to undertake the prosecution will in general be found on the score of mere trouble. Mr. Miller, we conceive, much overstates this matter when he says—

‘The consequence is, that the suit which the private party is bound over to institute, is *usually* brought merely for the sake of *form*, to save the forfeiture which would be incurred by non-prosecution; and is pursued with so much carelessness before the tribunal where it is brought, as to *ensure the acquittal of the criminal.*’

Due observation of the practice of assizes and sessions would convince this candid writer, that prosecutions are not there conducted for mere form; and that, when once undertaken, parties do in general pursue them with a considerable degree of zeal and interest. We believe it rarely happens that criminals escape from the sort of carelessness to which he alludes; it occasionally happens that there is a designed backwardness and collusion on the part of the witnesses, and this especially if the proceeding be considered harsh, and, for any cause, unpopular—but that would equally exist under any possible system of prosecution, and certainly not least under a system which vested the power of prosecuting in a stipendiary public officer. We have ourselves seen a gang of poachers charged with, and evidently guilty of, shooting a gamekeeper, escape by the determined prevarication of the witnesses for the prosecution, and their wilful and entire abandonment of the evidence they had given before the magistrates. What law could effectually guard against such occasional evils? But we believe that—what with the interests of the attorney, and the constables and apprehenders, in the conviction—the natural wish of men to punish those who have invaded their property—the sense of public duty—and the general desire of witnesses and parties to be on the successful side, a bias which operates even in a criminal prosecution, though to a much less degree than in a civil suit, there is, *in general*, no great want of motives to urge a vigorous pursuit of the prosecution by the private party. Over and above these stimulants, rewards are often paid by the government and by private parties and associations on conviction of the criminal, and one of Mr. Peel’s acts empowers the court, in all cases of highway robbery, to award a compensation to the apprehender, so adequate to the expenses of the prosecution and necessary losses which, in cases of robbery, the owner of the goods is by a statute of Henry VIII. entitled to

restitution

restitution of his property, on conviction of the offender. That prosecutions are frequently suppressed, from compromises made with the offender, in order to obtain a restitution of the property, we have no doubt. But as the parties aggrieved must ever be the most vigilant and expeditious in detecting the criminal, and will generally regard their private and individual interests before those of the public, we believe that failures of justice from this cause must occur frequently under any system that can be devised. Where the party robbed can procure restoration of his goods on condition of screening the offender, self-interest will occasionally prevail; and a public prosecutor would, in such cases, be baffled by the sinister zeal of parties so tempted. We are, therefore, disposed to doubt whether on the whole any material advantage to public justice would arise from the change in question; a great difficulty, we think, would occur in the selection of fitting and safe hands in which to lodge so serious a trust and responsibility—the more the public have the administration of justice in their own hands, and the fewer professional officers are engaged in it, the more satisfactory it is, we think, in general, likely to prove. We certainly agree with Mr. Miller, that the evidence of magistrates, and clerks of the peace, coroners, and other persons acquainted with all the details of the present system, should be carefully heard, to ascertain the extent of the instances of offenders escaping for want of parties to prosecute, before any new system is introduced.

That it is most desirable to lessen the number of individuals prosecuted and injured by abode in gaols, without afterwards being convicted, no one can doubt. The disproportion between committals and convictions in this kingdom is certainly an alarming subject, requiring most serious consideration. We fear, however, that, under any system, this inconvenience must be suffered to a considerable extent,—1st, from the loop-holes which the salutary forms and rules of law necessary to protect innocence will inevitably afford, under the best arrangements, for the occasional escape of the guilty; 2ndly, from the impossibility of always compelling witnesses to attend and give evidence; 3dly, from the doubts unavoidably arising on slight, or circumstantial, or conflicting evidence, which must frequently render it indispensable for a magistrate to put a case of suspicion in train of being finally sifted and decided on by a higher tribunal, when it may ultimately turn out that the circumstances, though they afforded just grounds of suspicion, are not so conclusive as to warrant the conviction of the accused. However, while we are satisfied that these are some of the main causes which occasion the lamentable number of fruitless committals, we by no means assert that there may not be others, arising from positive defects

defects in administration, which merit the most serious inquiry. The effectual provision for payment of expenses of prosecutors will beneficially tend to ensure the punishment of offenders; and, considering the vast importance of the object, we cannot really admit that the evil of the additional burden thus imposed on counties—considerable as the county-rates already are—can be placed in competition with its good effects. We have also been informed, on competent authority, that the applications for expenses, under the new clause, have fallen short of what might have been expected; and we think it is a judicious provision, that the penalties imposed in many cases, under Mr. Peel's acts, shall go in partial relief of the county-rate. The more complete throwing the burthen of prosecutions on counties and local districts is likely to have the effect (like the remedies against counties and hundreds for damage done in riots) of giving a stronger interest to every opulent inhabitant in preventing, by all possible means, the increase of crime in the district where he resides.

The offence of embezzlement by servants has occasioned many legislative provisions and considerable difficulties, which have been, in part, provided for by former laws, and which Mr. Peel has endeavoured still further to remove. The servant often escaped, from the difficulty of proving the appropriation of a precise piece of money or paper security, which it was necessary to alledge specifically in the indictment, and to prove accurately. And then, by a rule of law (the wisdom of which is, perhaps, more questionable, than its humanity), the prosecutor is precluded, in felonies, from stating, in his indictment, several distinct charges of felony—the object being to avoid embarrassing the prisoner in his defence. If the servant, commissioned to receive ten shillings for his master, received a one pound note, and gave ten shillings in change, and then embezzled the note, he could not be indicted for embezzling the note, since one half of its value was his own, and clearly not for embezzling the ten shillings, since the ten shillings were his own money. Mr. Peel's clause, in order to remedy these inconveniences, provides,—1st., that the master may, in his indictment, charge any number, not exceeding three distinct acts of embezzlement, committed within six months:—2d, that the precise coin or paper-money need not be proved, but that if any *amount* is proved to be embezzled, the prisoner shall be found guilty:—3d, that if any portion of the value of the coin or paper &c., is proved to be embezzled, it shall be sufficient, although the coin or paper was given in exchange for part of its value paid by the prisoner. We are disposed to agree with Mr. Carrington in some of his observations on this clause, which, he thinks, may render it very difficult

difficult for an innocent man to take effectual steps for defending himself on a charge of embezzlement so framed. The day of the offence, and the name of the party from whom the money was received, were, before the new Act, not material to be accurately alledged; and now the sum of money is rendered equally immaterial;—and three offences, thus general and free from all particulars, may be alledged if they happened within six months. Such an indictment would really convey no more precise information to the accused, than that he was charged with embezzling some money of some species and some amount, received of somebody, some three different times, within six months. Surely, when the old rule against stating different charges in one indictment was departed from, it would have been desirable to require greater particularity in each charge, instead of allowing several charges to be stated, and each so vaguely as to give no exact information. We are aware of the great difficulty in proving the precise coin or money alledged, and that some alteration was required to render prosecutions for so common an offence more efficacious. But we confess we think it would have been better at once to adopt the system of civil pleading, and the practice in misdemeanors, and to allow the party to state eight or ten charges of embezzlement in different counts, provided he specified the particulars of date, sum, and name of the party from whom the money was received. This would, as it seems to us, have prevented the defeat of public justice, through the failure to prove a single case, and, at the same time, have furnished the prisoner with such characteristic particulars as to the offences which he was to meet, as to enable him to prepare his defence. Surely, the clerk or servant, charged with embezzling his master's money, ought, in fairness, to be told whether he is charged with embezzling a ten pound note, or five shillings;—whether the act occurs in one month or another;—and if the charge is of retaining money received to pay over, what is the name of the person from whom it was received. It frequently happens, we are aware, that the servant is charged with embezzling various sums collected from different individuals;—but, in that case, we cannot help thinking that there should be various counts, particularizing the separate transactions—and that the number of these counts within some limit (as eight or ten) would not materially embarrass the prisoner, provided they gave the particulars above-mentioned. Suppose an innocent man charged on such a series of counts—he would find there the names of the parties, and the dates of the transactions; he might bring forward the persons from whom he was charged with receiving the money; he might, by their evidence, show conclusively, that they had paid him none; or obtain from them the particulars of the

notes or cheques given in payment, and be thus enabled to trace these home into his master's hands, or prove that he had disbursed them on his master's business. Suppose him charged with embezzling a ten pound note out of his master's till, his attention would be at once directed to that precise sum; he might be able to show by his books, that the note had been paid away; he might, on inquiry, discover that a ten pound note had been seen in the hands of a brother servant, or changed by him under suspicious circumstances, and might thus trace home the deficiency to a theft of another person. But we really cannot see how he can be prepared with any such defences, if he is charged merely with embezzling *money*, and without the statement of time or any particulars. Herein lies, in truth, the great danger of relaxing the rules of pleading, that although, in the nine cases of prosecutions of guilty men, you, by excluding formal objections, ensure their conviction, in the tenth case, of an innocent man being put on trial, you leave him uninformed of the precise nature of the charge, and, consequently, unprepared to sift facts, produce evidence, and shape his defence. Mr. Carrington suggests that the prisoner accused of embezzlement may, perhaps, be considered entitled to particulars, to be delivered to him, of the charges intended to be made, in the same manner as he is when charged with the old and vague offence of being a common barrator. But we think this an injudicious expedient, only called for by the obsolete and absurd form of that peculiar charge—and that criminal pleadings ought not now to be framed with a degree of vagueness requiring this sort of aid.

Though not peculiarly connected with the amendments of the criminal law, we cannot help noticing the new jury bill as a valuable act of legislation. Mr. Peel's statute has not only had the merit of reducing, into one clear law of sixty-four sections, a mass of antiquated, verbose, and often conflicting statutes on the subject of juries and jurors—but his bill has, we think, judiciously altered and improved the system in many material points. By throwing the duty of making out the lists of those qualified on churchwardens and overseers, instead of the constable who often executed his office corruptly, and still oftener with gross negligence, it has secured more accurate and full returns, and a more equal distribution of the business among all jurors qualified, whether rich or poor;—while, by lowering the qualifications required, it has materially and, we conceive, wisely enlarged the classes of individuals liable to perform this duty;—and this without, we apprehend, diminishing the respectability of juries. Indeed, the new law has in one respect increased the general respectability of those serving, by preventing the opulent from evading the service. In Lancashire,

shire, the respectability of common juries is most remarkable. Formerly, only freeholders of ten pounds per annum, and leaseholders for five hundred years, or for lives of twenty (or in Middlesex, of fifty) pounds per annum, were eligible. Mr. Peel's bill leaves the freehold qualification where it was, but makes leaseholders of twenty pounds per annum eligible, though their lease is only for twenty years; and also qualifies all householders, assessed to the poor-rate on a value of thirty pounds per annum, in Middlesex, or twenty pounds per annum in any other county; and also all persons whatever occupying a house of fifteen windows. As the number of suits tried has naturally increased with the population and wealth of the country, and as penal prosecutions have unfortunately augmented in an even greater degree, it became essential to distribute the burden of this useful duty among as many individuals as could be found respectably qualified for its discharge. In Yorkshire, under the old law, about four years since, the number of jurors was computed at about ten thousand, and in Lancashire at about eight thousand. Yet, notwithstanding these large numbers, the amount required for the business of the several sessions, and the criminal and civil assizes, was so considerable, that a juror in Yorkshire was liable to be called upon every four years, and in Lancashire every three years; nay, in some other counties, attendance was required once in two years, and in Rutlandshire every year. By the enlargement of the number of jurors, under Mr. Peel's Act, we apprehend the frequency of attendance must be much diminished, and the burden on individuals proportionally lightened. Special jurors are increased in number by the preventing the evasions of service, and also by the provision for summoning, as special jurors, all persons called merchants and bankers in the freeholders' books, as well as those called esquires,—a practice which previously prevailed in London and Middlesex alone. The statute has also altered the mode of naming special jurors to a system of pure chance, instead of selection by the officer, and thus excluded all possibility of unfairness or favour. This alteration will remove all grounds of suspicion from this important part of the administration of justice, and silence factious objections to the officer's conduct, which, though destitute of foundation, were sure to be renewed on every occasion of a political trial. The old system of selection, which has been highly approved of by the Court of King's Bench, appears to have been attended with advantages, particularly in London and other places, where it ensured the service of some experienced and able mercantile men, who, for the sake of the fee, or from liking the employment, were in the habit of daily attending trials, and whose well-known ability and

integrity occasioned them to be put into the lists of the majority of juries named, where the parties, in striking the lists, gladly suffered them to remain. These advantages appear to be still retained under the new law, which provides that, by consent, the parties may have their juries named, according to the old practice, on signifying their wish to the officer; but we think, on the whole, that no system but one of absolute chance in the nomination would ever be satisfactory to the country, and conclusive against suspicions and imputations of partiality.

The alterations made by Mr. Peel in the ordinary style and diction of legislation are not the least important or remarkable features in his new acts. None but those familiar with the nice questions arising on the precise meaning of words and phrases, on which the property, and liberties, and often the lives, of individuals depend, can appreciate accurately the great difficulty of being at once clear and comprehensive in legal phraseology; of at once attaining perspicuity and brevity in the language of an act of parliament. ‘*Brevis esse laboro obscurus fio*,’—here are opposite evils, which certainly the legislator finds as much danger of falling into as the poet. Those who, like Mr. Uniacke, propose to turn the language of legislation into the style of ordinary compositions, discarding all technicality, and laying down general, vague, and succinct rules, instead of finding apt terms, generic and specific, at once to describe a general purpose, or object, and to indicate particular cases, in fact only evade a difficulty which they cannot meet, and which they erroneously attribute to the peculiar style adopted by our legislators; whereas it is inherent, and necessary in the very nature and end of the subjects of legislation. If the legislator confined himself to general injunctions and prohibitions, such as might be framed in elegant and familiar English, the Statute Book might easily be reduced in bulk and rendered less repulsive reading to young ladies; but the consequences must be an unlimited discretion exercised by the judges in its construction, an endless conflict as to the precise meaning of general expressions and vague phrases, and an intolerable uncertainty as to what acts were innocent and what were criminal. Although, however, much of the lengthened enumerations, and wearisome particularizings of our statutes, are to be ascribed to the wise desire of providing for possible cases—of framing rules so definite, that no judge shall abuse, and so comprehensive, that no knave shall elude them—we admit that the difficulty has not been met judiciously or adequately by the generality of legislators, and that the statute book is disfigured by much bad English, verboseness, and tautology, which might be removed without endangering any salutary object. To remove these, how-

ever,

ever, with success and advantage is a task of much nicety, and requiring no small degree of labour and of judgment. We are convinced the verbosity and particularity of detail, even in the excess to which our lawmakers have generally carried them, are evils attended with less mischief than the vague and inaccurate laxity of style which fastidious reformers would substitute for them. Mr. Peel and his able legal coadjutors have been too wise, rashly to introduce a novel style into legislation; but they have judiciously endeavoured to improve upon that already established.—That they have done so in point of brevity and simplicity, any one who compares their neat and readable productions with almost any set of statutes to which he can accidentally turn, must be satisfied. They appear to have hit upon the due medium between that vague brevity which belongs to a synopsis rather than to a law, and that perplexing prolixity which would supply the place of perspicuous expressions by an accumulation of all the possible phrases in any degree connected with the legislator's meaning.* That these improvements in diction and arrangement have been attained consistently with the higher ends of certainty and precision of meaning, and a comprehensive inclusion of every case intended to be brought within the law, it would be the height of rashness in us at present to pronounce; and we have no desire to start doubts, which, if there is room for them, will soon be raised by acute advocates and parties interested in urging them. Nothing but the results in practice, and the settled construction of the courts, can place the stamp of soundness and wisdom on acts of legislation. But this we may venture to say, that every clause of the new acts bears the marks of that painstaking and deliberate consideration, which are so often wanting in the framing of our laws, and which certainly afford the best securities for their practical utility and safeness. Where other statutes have used, for describing an offence, a multitude of specific terms, and tautologous epithets and verbs endeavouring to enumerate every species of particular goods or property, or persons, or acts, or other matters, within the view of the legislator, in which attempt there is generally a failure, Mr. Peel commonly uses generic terms, carefully selected and generally sufficient to embrace the whole class. Where one section enacts the amount of transportation, length of imprisonment, &c., to be visited on any offence, subsequent clauses, inflicting

* For an unsuccessful attempt at abbreviation of a law, see Mr. Uniacke's proposed amendment of the 10th section of 6 Geo. IV. c. 16. (the new bankrupt act,) in which a long and intricate clause is reduced to a few lines by a very cheap mode—of omitting many of the essential components of the provision, and mistaking others. (*Letter, &c* p. 18.)

the same punishment on other crimes, judiciously (though contrary to legislative practice) refer to the 'punishment last mentioned,' instead of going over the detail again. Some few of the new clauses, however, appear to us to be expressed with a generality, and sometimes a laxity of phrase, hardly suitable in acts of parliament, and calculated to give rise to doubts in their construction. For example—the clause, 7 and 8 Geo. IV. c. 29, s. 34, 'if any person shall unlawfully and wilfully take or destroy any fish in any water which shall run through or be in any land adjoining or belonging to the dwelling-house of any person being the owner of such water,' &c. seems vaguely worded; it is difficult to affix a precise meaning to the words 'adjoining or belonging to the dwelling-house,' &c. Again—in the proviso in 7 and 8 Geo. IV. c. 29, s. 18, 'Provided always that when articles of *small value* shall be stranded or cast on-shore, and shall be stolen without circumstances of cruelty, &c. it shall be lawful to prosecute the offender as for simple larceny;' the words 'small value' are very indefinite: they are taken from a repealed act of Geo. II., but in that act the making the offence simple larceny necessarily limited the value to less than 1s.; whereas, the distinction of grand and petty larceny being now abolished, there now remains nothing to fix any precise sum. We do not very much admire in an act of parliament such language as, 'and that the punishment of offenders may be less frequently *intercepted* in consequence of *technical niceties*.' We should prefer the old established phraseology, 'that offenders may not escape punishment through defects of form,' &c. as being at once more definite and more simple,—and we think the phrase in 7 and 8 Geo. IV. c. 29, s. 65, 'hear and determine a case *ex parte*,' is somewhat lax in a statute. We might mention other instances of a similar kind.

The brevity of the new clauses, in comparison with the ordinary style of acts of parliament, is truly remarkable. The following simple provision (7 and 8 Geo. IV. c. 29, s. 25.)—

'Be it enacted, That if any person shall steal any horse, mare, gelding, colt, or filly; or any bull, cow, ox, heifer, or calf; or any ram, ewe, sheep, or lamb: or shall wilfully kill any of such cattle, with intent to steal the carcase, or skin, or any part of the cattle so killed, every such offender shall be guilty of felony, and being convicted thereof, shall suffer death as a felon—'

was to be sought for in its substance in not less than four statutes of Henry VIII., and Elizabeth, and George II., containing considerably above one hundred lines; and yet we are not able to see that the substance of the former enactments has been lost or injured in the compression. By way of an example of the concise style of Mr. Peel's clauses, as contrasted with those of other acts,

acts, even of modern days, we give his consolidation of the laws making it felonious to steal cotton and other goods while in the progress of manufacture. The old law on the subject was in two statutes—the 22 Car. II. c. 5, and the 51 Geo. III. c. 41. The former was as follows:—

‘Whereas many evil-disposed persons have of late, more frequently than in former times, used and practised the cutting of cloth and other woollen manufactures, in the night time, off from the racks or tenters, where the said cloth is put for the drying thereof, and feloniously steal and carry away the same, to the utter undoing and impoverishing of many clothiers, and the great hinderance in the trade of clothing :

[‘And whereas by an act made in the one-and-thirtieth year of the reign of the late Queen Elizabeth, it is, amongst other things, enacted, That if any person, having the charge or custody of any armour, ordnance, munition, shot, powder, habiliments of war of the said queen, her heirs, or successors, or of any victuals provided for the victualling of any soldiers, gunners, mariners, or pioneers, shall, for any lucre or gain, or willingly, advisedly, and of purpose to hinder or impeach her majesty’s service, embezzle, purloin, or convey away the same armour, ordnance, munition, shot, or powder, habiliments of war, or victuals, to the value of twenty shillings, at one or several times ; that then every such offence shall be adjudged felony, and the offender therein to be proceeded on and suffer, as in case of felony ;] unto the committing of which several offences many persons are the more emboldened, in respect that in those cases the benefit of clergy is allowed by law :

‘Be it therefore enacted by the king’s most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and the commons in this present parliament assembled, and the authority thereof, That no person or persons who shall, from and after the five-and-twentieth day of May, in the year of our Lord one thousand, six-hundred, and seventy, be indicted for feloniously cutting and taking, and stealing or carrying away of any cloth or other woollen manufacture from the rack or tenter, in the night time, [or for any offence committed against the first recited act, made in the said one-and-thirtieth year of Queen Elizabeth ; or shall feloniously steal or embezel any of his majesty’s sails, cordage, or any other his majesty’s naval stores, to the value of twenty shillings,*] and be thereupon found guilty by verdict of twelve men, or shall confess the same upon his or their arraignment, or will not answer directly to the same, according to the laws of this realm ; or shall stand wilfully or of malice and obstinately mute, or challenge peremptorily above the number of twenty ; or shall be upon such indictment outlawed : shall and after the five-and-twentieth day of May, not be admitted to have the benefit

* We have given the whole act, though the parts marked within brackets, it will be seen, do not relate to the offence of stealing manufactured goods—it affords another instance of the heterogeneous composition of old acts of parliament.

of his or their clergy, but utterly be excluded thereof, and shall suffer death in such manner and form as they should if they were no clerks.

‘ Provided always, and be it further enacted by the authority aforesaid, That it shall and may be lawful for the judges or justices of the court before whom such offender shall be arraigned and condemned, at their discretion, to grant a reprieve, for the staying of execution of such offender, and to cause such offender to be transported to any of his majesty’s plantations beyond the seas, there to remain for the space of seven years, to be accounted for the time of such transportation, and during all that time there to be kept to labour. And if such offender shall refuse to be so transported, and after such transportation shall return or come again into this kingdom of England, or the dominion of Wales, or town of Berwick-upon-Tweed, within the times aforesaid; that then and in every such case, the person so returning shall be put to execution upon the judgment so given and pronounced against him.’

The above statute did not apply to *linen* goods, which gave occasion to the following verbose enactment :—51 Geo. III. c. 41.

‘ Whereas, by an act passed in the eighteenth year of the reign of his majesty King George the Second, entitled “ An Act for the more effectual preventing the stealing of linen, fustian, and cotton goods and wares, in buildings, fields, grounds, and other places used for printing, whitening, bleaching, or drying the same;” it is, amongst other things, enacted, That every person who at any time after the first day of June, one thousand, seven hundred, and forty-five, shall by day or night feloniously steal any linen, fustian, calico, cotton cloth, or cloth worked, woven, or made of any cotton or linen yarn mixed; or any thread, linen, or cotton yarn; linen or cotton tape, inkle, filleting laces; or any other linen, fustian, or cotton goods or wares whatsoever, laid, placed, or exposed to be printed, whitened, bowked, bleached, or dried, in any whitening or bleaching croft, lands, fields, grounds, bowking-house, drying-house, printing-house, or other building, ground, or place made use of by any calico-printer, whitster, crofter, bowker, or bleacher, for printing, whitening, bowking, bleaching, or drying of the same, to the value of twenty shillings; or who shall aid or assist, or shall wilfully and maliciously hire or procure any person or persons to commit any such offence; or who shall buy or receive any such goods or wares so stolen, knowing the same to be stolen as aforesaid; being lawfully convicted thereof, shall be guilty of felony, and that every such offender shall suffer death, as in cases of felony, without benefit of clergy. And whereas the said act has not been found effectual for the prevention of the crimes therein mentioned; and it is therefore expedient that so much of the said act as is hereinbefore recited should be repealed: and whereas it might tend more effectually to prevent the aforesaid crimes, if the same were punishable more severely than simple larceny: Be it therefore enacted by the king’s most excellent majesty, and with the *advice and consent* of the lords spiritual and temporal, and commons

in this present parliament assembled, and by the authority of the same, That so much of the said act as is hereinbefore recited shall, from and after the passing of this act, be, and the same is hereby, repealed.

‘And be it further enacted, That from and after the passing of this Act, every person who shall feloniously steal any linen, fustian, calico, cotton, cloth, or cloth worked, woven, or made of any cotton, or linen yarn mixed, or any thread linen, or cotton yarn, linen or cotton tape, incle, filletting, laces, or any other linen, fustian, or cotton goods or wares whatever, laid, placed, or exposed to be printed, whitened, bowked, bleached, or dried, in any whitening or bleaching croft, lands, fields, or grounds, bowking houses, drying-house, or printing-house, or other building, ground, or place made use of by any calico-printer, whitster, crofter, bowker, or bleacher, for printing, whitening, bowking, bleaching, or drying of the same, to the value of ten shillings: or who shall aid and assist, or wilfully or maliciously lure or procure any other person or persons to commit any such offence; or who shall buy or receive any such goods or wares so stolen, knowing the same to be stolen, as aforesaid, being lawfully convicted, shall be liable to be transported beyond the seas for life, or for such term, for not less than seven years, as the judge, before whom any such person shall be convicted, shall adjudge, or shall be liable, in case the said judge shall think fit, to be imprisoned and kept to hard labour in the common gaol, house of correction, or penitentiary-house, for any term not exceeding seven years.’

The substance of these two long and clumsy acts, as far as they relate to goods in course of manufacture, Mr. Peel’s law condenses into the following succinct clause, which appears to us to provide for every case which could fall within either of the former laws—(7 and 8 Geo. IV. c. 29, s. 16)—

‘And be it further enacted, That if any person shall steal to the value of ten shillings, any goods, or articles of silk, woollen, linen, or cotton, or of any one or more of those materials mixed with each other, or mixed with any other materials, whilst laid, placed, or exposed, during any stage, process, or progress of manufacture, in any building, field, or other place; every such offender, being convicted thereof, shall be liable to any of the punishments which the court may award, as herein beforelast-mentioned,’—(that is, to transportation for life, or for not less than seven years, or imprisonment not exceeding four years.)

The amount of the abridgments and reductions in mere volume, effected by Mr. Peel, may be judged of, from the fact, that his repealing statute (which is made a distinct law, affording an easy knowledge of the acts got rid of) has annihilated the principal part of not less than ONE HUNDRED AND THIRTY-SEVEN STATUTES. The parts repealed contained 623 sections and about 8472 lines; while the substance of this mass of words, as far as their effect has still been continued in force at all, is to be found condensed in Mr. Peel’s FOUR ACTS: viz., that for further improving the administration of justice, that for consolidating and amending the

the laws of larceny, that for consolidating and amending the laws relative to malicious injuries to property, and that for consolidating and amending the laws relative to remedies against the hundred. These new laws put all together contain only 152 sections, instead of the 623 sections repealed, and about 1300 lines, instead of 8472 got rid of; being a reduction (judging by the number of lines, which is the fairest criterion) of more than five-sixths. In the same way, Mr. Peel's first act, of 1826, (7 Geo. IV. c. 64,) for the improvement of the administration of justice in criminal cases, repeals 31 statutes, scattered through the statute book, from the 3d of Edward I. to the 6th of George IV., which contained 98 sections, and about 1490 lines—while the new act is comprised in 32 sections and 447 lines, being a reduction of considerably more than two-thirds; and this, at the same time that the new law contains a variety of provisions entirely novel in effect and not touched upon by the repealed enactments. The Jury Law of 1825, (6th Geo. IV. c. 50,) which is comprised in 64 sections and 1130 lines, repeals and consolidates the provisions of 62 former acts, extending from the 43d of Henry III. to the 5th Geo. IV.—42 of them being passed previous to the reign of Elizabeth—and containing a mass of obscure and obsolete provisions; and these repealed statutes comprise 152 sections and about 2200 lines—so that here we have a reduction in mere bulk of more than one-half. The reductions, therefore, effected by these new laws may be thus stated:—

	Lines in the Old Laws.	Lines in the New Acts.	Reduction in Lines.
The Jury Laws, dispersed in 62 Acts.....	2200		
The Jury Law, comprised in the Act of 6th Geo. IV. c. 50.....	1130	1070
Provisions as to the administration of justice in criminal cases, scattered in 31 statutes.....	1490		
Provisions as to administration of criminal justice, condensed into the act of 7th Geo. IV. c. 64, with many additions	447	1043
Laws respecting larceny and similar offences, ma- licious injuries to property, remedies against the hundred, and provisions as to administra- tion of justice, dispersed in 137 statutes	8472		
Same provisions, with amendments and additions, condensed into the four statutes, 7th and 8th George IV. cc. 28, 29, 30, 31	1300	7172
Total	12,162 = to 187 pages.	2877	9285 exceeding $\frac{3}{4}$ ths, or 142 pages.

Thus,

Thus, out of 187 pages, Mr. Peel has got rid of no less than 142; or considerably more than three-fourths. This reduction (though not equal to that effected in the Roman digest, where, according to Ludewig, two thousand treatises were condensed into fifty books, and three millions of lines—or sentences, *σχις*,—were reduced to one hundred and fifty thousand) is so considerable, that, supposing it possible to be effected to the same extent in the whole statute law, it would obviously cut down the twenty-nine massive volumes of our statutes to about seven volumes, to the great relief of the purses and brains of lawyers, and of all others who happen to have occasion to buy or peruse them. It is obvious, however, that condensation and repealing could not be applied generally to the same extent; and that as the work proceeded the amount of reduction must necessarily diminish. Still, however,—considering the extreme verbosity of style of the generality of the acts,—their perpetual and lengthened tautologies,—the number of laws virtually repealed or grown obsolete, which are still reprinted,—the quantity of statutes accumulated on one subject and capable of great condensation if moulded together,—we see no reason to doubt but that, by pursuing Mr. Peel's judicious course through all the branches of the statute law, they might all, by proper industry and care, in no very long period of time, be effectually consolidated into single laws on each subject, so as to effect a reduction of our Statute Book to one-half, or at most one-third, of its present dimensions.

In addition to those above noticed in detail, we are happy to see that other judicious consolidations of the statutes have been recently effected. The intricate laws respecting the revenue of customs, dispersed in no less than four hundred and forty-three acts, (fifty of which had actually passed since his present Majesty's accession,) have been condensed into three systematic and well-arranged acts, the 6th Geo. IV. cc. 105, 106, and 107; and all the old laws have, of course, been repealed. The numerous laws respecting the prevention of slave traffic have been likewise consolidated in the 5th Geo. IV. c. 113. The bankrupt law, scattered over twenty-one long and wordy statutes, has been simplified by Lord Eldon and Mr. Eden, and reduced to a single act of one hundred and thirty-six sections, 6th Geo. IV. c. 16. This new statute has also introduced most material alterations into this difficult and important branch of our law; and although by no means free from inaccuracies of execution, (which, we believe, will be corrected by a new act in the next session of parliament,) it must be considered, on the whole, as a learned, elaborate, and valuable condensation of a very perplexed law. In addition to the great amendments of the bankrupt laws, the alterations and improvements effected by the county-court bill; the bill respecting *principal and factor*; the act for the uniformity of
weights

weights and measures; the act requiring bail in all cases of proceedings in error; Sir Nicholas Tindal's act respecting arrests for debt, and various others, not only evince how much the attention of parliament has, within the last few years, been drawn to the improvements of our legal and judicial systems, but, in our humble judgment, afford instances, in the main, of clear, judicious, and concise legislation, worthy of imitation as well as applause.

As the repeals thus effected have strewed the statute book pretty copiously with defunct laws, we trust Mr. Peel intends ere long to quiet this '*inops inhumataque turba*,' with sepulchral honours, in the shape of a clause prohibiting their being reprinted. We beg humbly to echo Lord Bacon's words:—'these may remain in the libraries for antiquities, but *no reprinting of them*.' Until this is prohibited, they will still continue to form a cumbrous and expensive burden on the statute-book—needlessly increasing its bulk, and often misleading the student. Where entire acts are repealed, there can be no difficulty in marking them out, and giving directions to the king's printer not to reprint them after a certain time. If legislative authority is required, an act might be passed for the purpose, specifying all the laws repealed, the printing of which was to cease. Where parts of acts only are repealed, no difficulty can arise in those cases where such parts form entire sections of a law; and it is only in those cases where the repealed portions are vaguely described or referred to, so as not easily to be separable from the remainder of the law, that it may, perhaps, for the present, be necessary to leave them untouched. Of course it would be prudent only to expunge those laws, the repeal of which is express and clear, and not to meddle with any, as to which it may be questionable whether they have been repealed by *implication*. Owen Ruffhead, in apologising for retaining in his edition of the Statutes the repealed and obsolete laws, observes,—

'If all the laws which have been altered or repealed by subsequent acts, or which, being grown old by the introduction of new habits and customs, do not agree with the present state of the times, were to be left out of the statute-books, how greatly would posterity be at a loss to account for several institutions which are only to be explained by reference to those venerable relics of antiquity.—*Preface to the Statutes*, p. 22.

Sergeant Runnington, feeling the force of this observation, and at the same time desirous to reduce the bulk of his edition of the Statutes, has preserved the acts, which are more of curiosity than of use, in an appendix, merely giving the titles in their proper places in the body of the work. Now, though we agree in the *truth* of Mr. Ruffhead's remarks, we think the existing copies of the

the repealed laws would probably be sufficient to preserve them in libraries for all purposes of curiosity and reference, without any reprinting. If considered necessary, a separate publication might be permitted to be made of the defunct statutes; but it seems to us highly objectionable, that they should be suffered to remain mixed up with the body of laws actually in vigour; which, as Lord Bacon quaintly observes, is to make our laws endure the torment of Mezentius. The body of valid and existing laws to which the public are to look as containing an efficacious rule of life and conduct, is not the place for mere matters of historical interest and antiquarian curiosity. The public, in turning to the authentic volumes of the statutes, desire to know precisely only what is the law, and not to inquire what it may formerly have been. We, therefore, think, that not merely the laws expressly repealed by subsequent acts, but also all those which are now clearly obsolete, or, to speak more properly, superseded by the effect of subsequent enactments (for no law in England can become obsolete from mere disuse,) should also be removed from the collection of the living statutes; such are, for instance, all the laws respecting feudal tenures, and monastic houses, which, though not repealed expressly, are superseded by those laws which have annihilated the subject-matters to which they relate; and other considerable classes of the same kind exist.

To guard against the future accumulations of hasty and imperfect acts of legislation, is a task, we fear, much less easy than important. From the causes to which we have before alluded, added to the complicated interests, the extensive trade, the activity and energy pervading the whole body of society in Great Britain, it is obvious that we should hope in vain either to reduce the body of our laws within a small compass, or to prevent them from accumulating, even if they could be so compressed. Montesquieu observes that the multitude of our laws is one of the prices we pay for our freedom; but there certainly is no valid reason why this necessary inconvenience should be needlessly augmented by haste and negligence in the preparation of them. The discussions which take place in the several stages of a bill, especially in the committee, seem to be excellently adapted for canvassing and thoroughly investigating its spirit and merit, for deciding on its policy or impolicy with reference to the general interests of the country. The *rationale* of the law (to use a familiar phrase) seems, in this process, to be as perfectly sifted and considered as can be desired; but when this is settled, when the house has arrived at a conclusion on all the principles involved in the law, still there is much of mechanical and technical labour to be performed upon it, in adjusting the form and language of the clauses, in adapting it to the existing law, in making references to former laws, and
ascertaining

ascertaining exactly what effect it will have upon them, which appears now to depend entirely, or principally, on the individual mover or the few individuals who bring forward the law, and which requires much more care and accuracy than is generally bestowed on the work. Then, again, a number of laws on important but uninteresting subjects are passed rapidly in thin houses, at two o'clock in the morning—in hot evenings, at the close of the session; clauses are frequently thrust into long and verbose acts at the suggestion of individuals, or classes of individuals, which, though containing frequently most important provisions, pass, without due consideration, as matters of course. As long as these negligent practices prevail, it is in vain to hope for a statute-book free from incongruities, and perplexities, and verbose accumulations. It might, perhaps, be desirable to establish a standing committee (after the manner of *The Six* at Athens) 'to watch and discern what laws waxed improper for the time, and what new law did, in any branch, cross a former law, and so, *ex officio*, to propound their repeal.' In the mean time, however, and perhaps, indeed, under all circumstances, the only check which can be kept on inconsiderate legislation touching subjects which require no interference, and the slovenly composition of those laws which are really required, must be found in the attention and vigilance of the general body of members, and the active watchfulness of the public on the proceedings of the two houses. If every member would conscientiously perform his duty, not only in deliberately weighing, and perfecting, with the helps of the skill and knowledge of others, every law which he might have occasion himself to propose, but also in keeping up a close scrutiny on the proceedings of his fellows, a check on light and perfunctory legislation might be found, less effectual, indeed, but, perhaps, more available than that wise statute of the Locrians, which accommodated every initiator of a new law with a rope, wherewith he was strangled if his bill was disapproved and rejected. Certain it is, that consolidation and amendment of the old laws are of very imperfect efficacy, unless an improved style of framing laws becomes habitual for the future. However well conceived may be the measures proposed to the house, and however eloquently and perspicuously the senator may expound their object and enforce their expediency, it should ever be remembered, that his task is but half achieved in the public exertions of the debate. His measures must fail of their proposed utility unless the more irksome business of arranging and finishing in detail the provisions required is executed with care and caution, and accuracy, and with the recollection ever to be *kept in mind*, that every phrase and particle of his law must, *sooner or later*, become the subject of close scrutiny and investigation

tigation when its provisions come to be practically applied, to be canvassed by lawyers, and construed by magistrates and courts of justice. Then it is that negligent legislation is found to produce irreparable evil. The strict limits within which our judges and magistrates are confined in the application of the laws, renders the greater precision, and comprehensiveness, and perspicuity of expression necessary in the laws themselves. In countries where the judge has the virtual power of making a law, he may remedy, in practice, many deficiencies in the work of the law-giver; but as, in England, we recognise no such discretionary authority, the duty of the legislator requires to be executed with additional labour and circumspection. If he puts forth no law applicable to a particular case, or passes one which is vague and obscure, and uncertain in its terms, however crying may be the injustice occasioned, however flagrant may be the crimes which pass unpunished, the courts have no authority to remedy the evil; the hands of the judge are tied by the constitution; he can only say, with regret, *ita lex scripta est*; and the public have only to thank the careless or ignorant senator, who, by negligently exercising a solemn and important duty, has occasioned a mischief which it was precisely his office, and his alone, to prevent. How little these considerations have been borne in mind by the majority of our past legislators has, we think, appeared from the foregoing pages. Indeed, all business of parliament, unconnected with the stimulus of party-politics, and especially business of a legal nature, seems, till of late years, to have been found too dry and repulsive to occupy much attention. There is probably little exaggeration in Mr. Burke's story, mentioned by Mr. Peel, of a member meeting him as he was hurrying down to the house, and telling Mr. Burke, on his asking what the house was about, 'Oh, the great debate is gone off, and they are only passing bills about capital punishments.' Late years appear, however, to have occasioned a manifest change and improvement in the character of legislative proceedings. The mass of pressing and difficult business, public as well as private, which has imperiously demanded attention, and necessarily occupied much time, added to the absence of more engrossing topics, probably to the increased knowledge and good sense of the body of the members, has given rise to an impatience of desultory and purely ornamental speaking, and has given a more practical and useful direction to the efforts of senators than formerly characterised them. Since the engrossing interest of a critical warfare has ceased, all minds, both within and without the walls of parliament, have been, and now are, powerfully directed to the details of internal administration, and to improving defects in the useful institutions of the country.

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This is necessarily matter of much more dry research and patient investigation than the discussion of treaties, or the celebration of victories. If these topics, however, exclude the more luxuriant flowers of eloquence, they necessarily tend to create a terse, condensed, and energetic style of speaking, suited to subjects, sober and practical indeed in their character, but yet connected with all the interesting principles of philosophy and morals, and tending to the permanent improvement and happiness of society in all its classes. Among these supremely important topics for legislative consideration, the condition of the laws stands foremost;—foremost in the importance of its results; foremost in the wide scope and field which it presents; foremost in the skill and knowledge, and, above all, the labour and judgment required in those who undertake its amendment.

Mr. Peel, and other members, who have of late devoted their time and attention to this subject, have done essential good, not only by the acts which they have introduced, but also by strongly and repeatedly calling the attention of parliament to the condition of the statute-law, and pointing out the evils arising from the manner in which our ancestors have been wont to frame their enactments. Much, very much, remains to be achieved—the first steps only in the road of improvement have been made. Mr. Peel, no question, intends to proceed with the consolidation and purification of the different branches of the criminal law; but a wide field remains open, which, we trust, will be occupied by other improvers. The talents, acquirements, and influence of those members of the government and legislature, who have received the advantage of a legal education—particularly of the right honourable gentlemen at the head of the Woods and Forests and of the Board of Control—might, if their official duties permitted, be most beneficially directed to promoting and patronising further consolidations of the laws. Mr. Peel's efforts certainly evince that an important portion of the general work of consolidation and revision of the law may be effected by an individual legislator aided by active professional assistants. It is perhaps, however, too much to expect that the whole work can be accomplished by the mere exertions of single members of parliament, however ably assisted; a commission of members and professional individuals, or of the latter alone, may, perhaps, be found necessary to execute the details of a general consolidation of the statute law. Whatever may be the means resorted to, we think it is now clear that the improvements already effected must needs lead the way to many more. It is now no longer matter of doubt and speculation, whether verbose laws can or cannot be abridged, and conflicting, confused, and accumulated laws simplified

plified, condensed, and rendered perspicuous. This task has, in several important branches of law, been accomplished with such signal success as to silence all mere theoretical reasonings against the plan. Not only have the public witnessed and applauded this advance towards an improved system—Mr. Peel has acted throughout his task with the advice and concurrence of technical lawyers, and the approbation and assistance of the experienced judges of the realm. In the judicious caution which has restrained him from pushing his reforms beyond the point to which they could be accompanied by the concurrence of the practical executors and ministers of the law, he has even stopped short, in some instances, of the extent to which lawyers conceived he might proceed. Well knowing the value of opinion, respecting even the prejudices of habit, and bearing in mind that the success of laws in their practical operation, must ever mainly depend on the acceptance in which they are held by those who put them in force, he has, with a truly statesman-like moderation, consented to waive something of the completion of his own designs, out of deference to those not so far advanced in their views as himself. By this wise caution he has secured the confidence of the public, and, while he has acquired for himself the character not more of an enlightened than of a safe and practical legislator, he has paved the way for an easy accomplishment of further improvements, when time and circumstances render them fitting. We cannot help adding, that the professors of the law, from the judges downwards, have encouraged and aided these reforms in legislation in a spirit which abundantly refutes the sneers which the vulgar sometimes indulge against them, as desiring to check legal improvements from illiberal, and even sordid motives. To those who know them best, it is needless to say that a more enlightened, liberal, and truly generous body—one more incapable of sacrificing really useful objects to selfish considerations—cannot be found; though from an accurate and practical knowledge of the laws of their country, and from the habit of penetrating through false appearances, and detecting sophistries, they may often attach small value to empirical schemes of amendment which, to more superficial and less informed observers, may appear deserving of all patronage. To the practical, well considered, and cautious improvements lately made in the criminal code, Mr. Peel bears testimony that they have, one and all, with whom he communicated, given zealous and disinterested attention, and every co-operation which their knowledge could afford.

ART. VII.—*The Constitutional History of England, from the Accession of Henry VII. to the Death of George II.* By Henry Hallam. London. 1827. 2 vols. 4to.

MR. HALLAM tells us that the title which he has adopted 'appears to exclude all matters not referrible to the state of government, or what is loosely denominated the constitution;' this part of history being, he says, in many respects, most congenial to his own studies and habits of mind. He has generally, therefore, abstained from mentioning, except cursorily, either military or political transactions which do not seem to bear on this primary subject. 'It must, however,' he proceeds to say, 'be evident that the constitutional and general history of England, at some periods, nearly coincide; and I presume, that a few occasional deviations of this nature will not be deemed unpardonable, especially where they tend, at least indirectly, to illustrate the main topic of inquiry. Nor will the reader, perhaps, be of opinion that I have forgotten my theme in those parts of the following work which relate to the establishment of the English church, and to the proceedings of the state with respect to those who have dissented from it; facts certainly belonging to the history of our constitution in the large sense of the word, and most important in their application to modern times, for which all knowledge of the past is principally valuable.'

The experiment of separating history into its constituent parts, civil and military, ecclesiastical, constitutional, literary, moral and commercial, was made upon a large scale by the industrious Henry, who thereby established for himself no inconsiderable reputation, notwithstanding the nefarious malignity with which Gilbert Stuart endeavoured to blast the fruit of his labours, ruin him in his fortunes, and break his heart.* As yet, however, Dr. Ranken (in a history of France) has been his only imitator. For the advantages are more specious than solid; and history is in reality rendered more complicated by this scheme for simplifying it. A book so arranged may be convenient for the facilities of reference which it affords; and, therefore, it is well that there should be histories composed upon such a plan. But a narrative, which proceeds according to the course of time and events, and records things as they are intermingled in the multifold concerns of society, is read with more pleasure, and remembered with more profit. The relation of civil and military transactions, of laws, literature, manners,

* Mr. D'Israeli, in his *Calamities of Authors*, has given a curious account of this 'Literary Hatred, exhibiting a Conspiracy against an Author.' Its materials are derived from Stuart's own letters, who little thought, while he was seeking to destroy the reputation of another, that he was heaping up infamy for himself.

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and religion, their mutual connexion, their influence and dependence upon each other, are better perceived and comprehended by the historian himself, if he be competent to the task which he undertakes, when he follows the natural order of narration; and things presented in that order appear to the reader in their proper place, and bearings, and proportions.

It would not be obvious what is meant by a *Constitutional History*, if Mr. Hallam had not, in the preface, explained what he intended by this designation. In common parlance, to call an historical work constitutional, would be analogous to giving the epithet of orthodox to a theological one; it would be understood as implying that the author was attached by principle and feeling to the established institutions of his country; consequently, that the book might be recommended as designed to inculcate safe opinions and sound doctrines relating to church and state. So far as the title may seem to imply this, it is a misnomer. The book is the production of a decided partisan; presenting not the history itself, but what is called the philosophy of history, and to be received with the more suspicion, because it deals in deductions and not in details. There are many ways in which history may be rendered insidious; but there is no other way by which an author can, with so much apparent good faith, mislead his readers. For if he enter into details, he must either relate them faithfully, and in that case, however his own mind may be biassed, the true statement will induce the true conclusions; or, he must misrepresent them, at the hazard of being traced to his authorities, and detected in misrepresentation. This, indeed, is little regarded by those who labour to serve the interests of a party or of a sect, sure as they are of obtaining credit with the faction which is thus served. There is a proverb imputed to the Spaniards, (and not improbably, when we remember the Machiavelian politics of Ferdinand, the Catholic king, and the Austrian dynasty,) that 'a lie, if it will last half an hour, is worth telling:' authors' lies last longer. A Frenchman, in the 17th century, published a book, in which he valiantly denied that Francis I. had been taken prisoner by the Spaniards. His very countrymen marvelled at the audacity of this falsehood; but when he was asked how he could venture upon sending such an assertion into the world, he replied, that he had done so advisedly, because in the course of an hundred years his denial of the fact would become sufficient authority for calling it in question, and thus it would be rendered doubtful. He spoke and acted in the gaiety and frankness of his heart for the honour of France; and books are still composed in that country from the same motive upon the same principle. It would be possible to compile a history of the Peninsular War from French memoirs, and

official reports to the French Imperial government, by which it should appear that the English were defeated in every action during that war, and that the enemy, after a series of skilful and brilliant operations, concluded their career of success by obtaining a signal victory before Thoulouse.

If the mere spirit of nationality will induce men thus to impose upon the world narrations which they know to be essentially and impudently false, much more may a like effect be expected from religious or factious zeal: for men prefer their religion to their country (as they must of necessity do, if they sincerely hold the opinions which they profess); and they prefer their faction to their country also, for the same reason which, in a collision of interests, would make them prefer their own to that of their faction: and as there is no other country in which factions, both civil and religious, have struck such deep roots and sent up their scions so widely as in England, so there is none in which historical transactions have been so perseveringly and systematically falsified; nor has this ever been done more elaborately than in the present times. They who have the worst cause are generally the most alert and indefatigable in promoting it. There is a restless principle of activity in faction, error and wickedness, even as in disease and contagion, — the moral constitution of things resembling in this respect the physical. The falsehoods which are thus propagated, obtain sometimes a long currency: and the false impressions which they make, produce consequences grievously injurious to mankind. The comfortable maxim of our own homely old Georgics, that 'Time tries the truth in every thing,' fails unhappily in such cases. Systems, indeed, of every kind are brought to the test by time; physical errors are disproved and exploded; and fine-spun theories, political and economical, are demolished as effectually when attempted in practice, as they have been triumphantly demonstrated in lengthy speeches and in wire-drawn volumes. But there are historical falsehoods which are continually kept alive by the evil feelings and intentions (not to say the evil principle) which originally produced them. Generation after generation they are repeated, with a pertinacity which no disappointment relaxes, and with an effrontery which nothing can abash, and which, therefore, is only hardened and exasperated by the infamy of repeated exposures, and thus the work of delusion and mischief, for which they were designed, is carried on through successive centuries and ages. Such, for instance, are the impious fables concerning our Lord and Saviour, which are at this day received among the Jews, and contribute to darken them in their unbelief. Such, for instance, are such examples as the calumnies which the Roman Church has everlastingly repeated against Luther, Calvin, and

and Beza. Such are the beastly slanders concerning Henry VIII. which are boldly asserted at this time by the more ignorant of that party, and insinuated by the more artful. Such too are those systematic misrepresentations of the conduct, principles, motives, and intentions of the English government in church and state, from the accession of Elizabeth to the Great Rebellion, which furnish matter for so much special pleading and so much common-place declamation on the part of those who are ill-affected toward one branch of the constitution, and not well-affected toward the other.

According to the motto which Horace Walpole has prefixed to one part of his Memoirs, a man cannot rightly fulfil the duties of an historian unless he be a sort of monster which the world never has seen, and never can see: '*Pour être bon historien, il ne faudroit être d'aucune religion, d'aucun país, d'aucune profession, d'aucun parti.*' There is a shallowness in this maxim which could not have deceived Horace Walpole if he had reflected upon the words. Little as his faith may have been, he was far too able a man to suppose that he who is without religion is, therefore, free from prejudice concerning that most momentous of all subjects; or, that the writer who hates all churches, is likely to be more equitable in his judgments, and more candid in his statements, than he who should be bigoted to one. Give but a sane conscience and an upright intention, and the historian will not be unduly biassed either by his religious persuasion, or the love of his country, or his professional predilections. He comes to his task, not like an advocate with the purpose of bringing forward such parts of the case as may favour the side on which he is retained, and of keeping others in the shade; but under the sense of a more serious responsibility, and a higher duty. He will faithfully state the facts which he has carefully collected, and when this is performed with a sound judgment, the best history will be that which contains the fullest details. In direct opposition to the French maxim, it may be affirmed, that an historical writer must necessarily derive advantage from the knowledge of any profession which he may have followed; and for the proof of this, it would be enough to name Xenophon, Polybius, and Cæsar. That he should have a national feeling for his subject is not so directly advantageous, yet it is desirable; and, indeed, so natural is it for men to interest themselves deeply in those pursuits which they have voluntarily undertaken, that they who write the histories of other countries than their own, are generally found, in a certain degree, to naturalize their affections there. For the want of religion there can be no compensation. The more religious an historian is, the more impartial will be his statements, the more charitable

charitable his disposition, the more comprehensive his views, the more enlightened his philosophy. In religion alone is true philosophy to be found ; the philosophy which contemplates man in all his relations, and in his whole nature ; which is founded upon a knowledge of that nature, and which is derived from Him who is the Beginning and the End.

The last part of the maxim must, to a certain extent, be admitted. The historian who is under the influence of party spirit will, undoubtedly, be classed among party historians. His work may be good in that class, but in that class its place must be assigned ; and temporary and partial applause are dearly obtained at this price of permanent degradation. The greater his industry, and the more conspicuous his talents, the greater is the sacrifice. To this consequence he may, perhaps, be blind ; or, perhaps, be indifferent if he foresees it. But there is a worse consequence : the feelings which party-spirit induces are never so injurious to the individual as when they take this direction. In the immediate struggles of party a sort of endemic delirium prevails, which men readily admit as an excuse for the follies and excesses of others, and confess as an apology for their own. There is mingled also with this, in its commonest and still more in its most violent manifestations, a warmth of personal regard ; a sense of hereditary obligations and attachments ; an adherence to principles, or opinions which are mistaken for principles ; and these, even when misdirected, excite a certain elevation of mind, and call forth that kind of generous exertion, which is one of the highest enjoyments, because the heart goes with it. A little may be allowed to this spirit in contemporary history, because it is difficult for those who live in the busy world, to keep themselves entirely free from it ; but, between this kind of bias, and the partiality shown in an elaborate account of long-past transactions, the difference is great indeed : the one is like the dexterity of an advocate in setting forth what he believes to be a fair case ; the other is as the perversion of justice by a judge. The historian who suffers himself to be possessed by this evil spirit, contracts an obliquity of moral vision ; his views are narrowed ; his understanding is warped ; his sense of right and wrong is perverted ; he has ceased to be just, and, therefore, he can no longer be generous.

‘ We may gather out of history,’ says Sir Walter Raleigh, ‘ a policy no less wise than eternal, by the comparison and application of other men’s fore-passed miseries with our own like errors and ill-deservings.’ The same sagacious writer, who had learnt true wisdom when, unhappily, it was too late for regulating his own conduct, observes also, that ‘ the judgments of God are for ever unchangeable, neither is He wearied by the long process of time,
and

and won to give His blessing in one age to that which He hath cursed in another.' These were his prison thoughts : to this conclusion he came after a comprehensive survey of the events of the ancient world, when he had full leisure for quiet meditation, with a mind which adversity had ripened, and under circumstances where his heart was no longer deceived by the low wisdom of the world. In this spirit it is that history should be written ; and they who read it in this spirit will perceive that the mighty maze of human affairs is not without a plan ; and that the ways of God are vindicated by the course of Providence even in this world.

Mr. Turner has included the reign of Henry VII. in his *History of England* during the Middle Ages, as a last act to the tragedy of York and Lancaster. Mr. Hallam, like Hume, takes the accession of that king as the epoch from which our history assumes a new character. One of the great transitions through which the governments of Europe (like the globe itself) have past, was then completed. The power of the feudal nobility had been broken ; their turbulent tyranny was subverted by a race of monarchs excellently qualified for the exigencies of the age. A Machiavelian policy, upon which those monarchs acted, had superseded the chivalrous character of their predecessors : it made them better sovereigns, and it may be doubted whether they were, on the whole, worse men ; at least it is some gain to humanity when ambitious designs are pursued by cunning rather than by violence. Henry VII. was the best of these contemporary kings ; he committed the fewest crimes, and manifested the most enlightened views and the most beneficent intentions. Ferdinand and Louis XI. were men in whom the evil part of their nature predominated ; in any condition of life they would have been cruel and perfidious ; bad men in any times ; and, therefore, eminently bad in an age when the principles of men were as corrupt as their practice : but the actions which have left a stain upon Henry's memory may justly be referred to the perilous situation in which his birth, and the necessity of his fortunes, had placed him ; not to any obliquity of the moral sense, or hardness of heart, natural or acquired. Mr. Hallam contradicts the eulogium which Lord Bacon has past upon him, as the best lawgiver to this nation after Edward I. ; ' for his laws,' says that great authority, ' (whoso marks them well,) are deep and not vulgar ; not made upon the spur of a particular occasion for the present, but out of providence of the future, to make the estate of his people still more and more happy, after the manner of the legislators in ancient and heroic times.' ' But when we consider,' says Mr. Hallam, ' how very few kings or statesmen have displayed this prospective wisdom and benevolence in legislation, we may hesitate a little to bestow so rare a
praise

praise upon Henry. Like the laws of all other times, his statutes seem to have had no further aim than to remove some immediate mischief, or to promote some particular end.'

We have here an instance how little this kind of history, which presents deductions instead of facts, and sets before us the opinion of the author, instead of the grounds upon which an opinion may be formed, is to be trusted. If a summary of Henry's laws had been given, it would have appeared that there is in them the foresight and the benevolence for which Lord Bacon has extolled him. His anxious desire for bettering the condition of the people is repeatedly and earnestly expressed in the laws themselves; 'for to him,' it is there said, 'is no thing more joyous than to know his subjects to live peaceable under his laws, and to increase in wealth and prosperity, and to avoid enormities and injuries, so that they may live restfull under his peace. . . . His grace considereth that a great part of the wealth and prosperity of this his land standeth in this, that his subjects may live in surety, under his peace, in their bodies and goods; and that the husbandry of the land may increase and be upholden. And his said highness shall not let for any favour, affection, cost, charge, nor none other cause, but that he shall see his laws to have plain and true execution, that his subjects may live in surety, and increase in wealth and prosperity, to the pleasure of God.' He protests that he has 'a singular pleasure, above all things, to avoid such enormities and mischiefs as be hurtful to the common weal; and that he most entirely desireth among all earthly things the prosperity and restfulness of this his land, and his subjects of the same to live quietly and surely to the pleasure of God, and according to his laws; willing, and always of his pity intending, to reduce them thereunto by softer means than by such extreme rigour as was provided by certain statutes of his predecessors.' The tenour of his laws is in accord with this language. Their object was to abate the oppression of the powerful; to prevent the extortions which were practised under the colour of law; to repress the audacity of the lawless part of the people, and to check the general prevalence of corruption and perjury.

The Lord Keeper Guildford used to say, that of all law-books, that 'termed Henry VII. was the most useful, or rather necessary, for a student to take early into his hand, and go through with; because much of the common law which had fluctuated before, received a settlement in that time, and from thence, as from a copious fountain, it hath been derived, through other authors, to us, and is now in the state of common erudition, or maxims of the law.' The facilities which in this reign were afforded to the alienation of landed property, and the introduction of actions on the

the case, are benefits to the jurisprudence of this country which have been duly appreciated. But Henry has claims to a better title than that of the English Justinian. It has not been sufficiently observed that the people of England, before his time, lived as little under the law as the people in certain parts of Ireland at this day.

‘The laws live only where the law doth breed
Obedience to the works it binds us to.’

There was none of this obedience; the people were not conformed to it in their habits and feelings. It had been made an instrument of iniquity, not of justice,—an engine of oppression and extortion,—a craft for wronging the inoffensive and upright, and securing impunity to those who knew how to bargain or intrigue for it, if they could not obtain their end by direct intimidation. This perversion of the laws, and the consequent dread of all legal proceedings, produced an indifference even to that course of justice, without which no community can exist in peace and safety. A murderer, as at this time in Italy, and Spain, and Portugal, stood in no fear of being arrested by the people; and an indictment could not be preferred against him till a year and day had been allowed for the representatives of the deceased to proceed by way of appeal. During that time it often happened that some composition was made, or that the appellant was wearied and let the suit fall; and as often when the crime had grown old, the prosecution by indictment was neglected. A remedy was provided for this, by enacting that the suit by indictment might be taken at any time, leaving the right of appeal untouched, but securing the purposes of public justice if that right were not enforced; and this enactment, though it went no farther, tended greatly to correct the state of opinion, and the usages which had descended from more barbarous times. By another law, the township was fined if any murderer escaped by day; and, because jurors frequently shrunk from their duty, either for fear or favour, justices of assize and of the peace were empowered to try and punish offences upon information, without indictment, in all cases not extending to life or limb.

That ‘good law,’ as Bacon calls it, ‘which gave the attain upon a false verdict between party and party,’ is censured by Mr. Turner, who says, that ‘so dangerous an enactment seems to strike at the root of all independent use of these important functions.’ He admits, however, that some gross cases of corruption must have occasioned it. In fact, the preamble states that ‘perjury in the land is in many causes detestably used, to the disheritance and great damage of many and great number of his subjects well disposed, and to the most high displeasure of Almighty God, the good statute against officers making panels partially,

tially, for rewards to them given; against unlawful maintainers, ymbraours, and jurors; and against jurors wantonly giving their verdict, notwithstanding.' Another law speaks also of perjury, as much and customably used by London jurors, and provides that they may be attainted for corruption, even though the verdict complained of should be found true. It is a proof of improved morals that enactments should be deemed reprehensible now which were thought good by Bacon, and which, beyond all doubt, were necessary when they were enacted. In point of morals, indeed, nations are always worsened by revolutions and civil wars; and where there is faith in a priest's absolution and in indulgences, the foundation of morality rests upon sand. Henry, by these provisions, endeavoured to correct some of the evils which an age of anarchy and violence had produced; and to supply the place of conscience by the fear of human laws,—in the best times a needful support, though a miserable substitution. But he was not one of those legislators who have supposed that every thing is to be effected by severity. His temper and his sound judgment led him to mitigate the rigour of the old laws; and in cases of treason, notwithstanding the insecurity in which he lived, he manifested a clemency of which there was no example under former kings. Mr. Hallam, indeed, whose short view of this reign is in this respect original, that it disputes all the merits which have been heretofore allowed to Henry VII., insinuates that even his clemency sprung from the sordid motive of selling pardons. A little consideration might have shown him, that the remark is as unjust as it is uncharitable; for, however avaricious Henry may have been in the latter part of his reign, it is no proof of avarice that he exacted fines from those persons to whom he was remitting the forfeiture of estates as well as life. Before the justice of Mr. Hallam's censures can be allowed, he must make it appear that a part is greater than the whole.

Blackstone, whose natural sense of equity was less deranged even by the practice of the law than Mr. Hallam's is by strong political prepossessions, has committed a similar injustice towards this king, saying, 'that there is hardly a statute in his reign, introductive of a new law, or modifying the old, but what, either directly or obliquely, tended to the emolument of the exchequer.' So ill founded is this inference, that Mr. Turner supposes the commentator had forgotten Henry's laws when he thus condemned them. To commute the punishment of murder for a fine, acts upon manners and morals like the papal scheme of selling pardons for all sins at fixed prices. Laws, therefore, that enjoin or allow of such a commutation mark a barbarous state of society. But the substitution of pecuniary penalties, instead of imprisonment

ment and mutilation, (and even death, in cases where there is no proportion between the moral and legal degrees of criminality,) was plainly an improvement in legislation; it tended to render humanity more sacred in the estimation of the people, as surely, and almost as directly, as the laws which provided for the adequate punishment of murder. Nor is it the only merit of Henry as a legislator, that he had this great end in view. No prince was ever more solicitous to promote the welfare of his people. He enforced those navigation laws, which (in Mr. Turner's words) 'made the growth of our naval strength bear always a due proportion to our commerce.' He checked the monopolizing spirit of the London companies, who, in the hope of making all the trade of the kingdom centre in London, exacted a fine of twenty pounds from every Englishman who went to a foreign mart, and prohibited their fellow-citizens from carrying goods to fairs and markets within the realm. There was a law, the intent of which was to keep the labourers, like the low castes of India, to the condition in which they were born, thus riveting the chains of feudal tyranny; it forbade any one to be bound apprentice in any city or town, unless his parents were possessed of lands or rent to the yearly value of twenty shillings. Henry repealed this in favour of the worsted weavers and clothiers at Norwich, limiting the repeal to that city where it was desired, and not extending it to places where the grievance was not yet felt. All his reforms were made cautiously; and if an enactment was found injurious in practice, he was not withheld by obstinacy or false pride from acknowledging that he had been mistaken in his views, and annulling it; but this repeal was confirmed as having been found good; and it was one important step in that emancipation of the servile class which the increase of trade promoted, and which the laws began to favour. It was Henry VII. also who admitted the poor to sue in *forma pauperis*.

Among the things of which Henry repented at the approach of death, with the intent of amending his conduct if longer life should be granted him, one was that he had promoted men unadvisedly in the church without sufficient regard to ability and character; and when he raised Fisher to a bishopric, he told his mother that the promotion of such a man 'would courage many others to live virtuously, and to take such ways as he doth.' This intention was in a great degree fulfilled by Henry VIII.; it was the only point in which he followed the direction or the example of his father; and to the motives which directed his choice, and the sagacity with which it was made, we are indebted for the promotion of those men by whose moderation and wisdom and integrity the ecclesiastical part of our reformation was conducted.

Mr.

Mr. Hallam is pleased to say that Fisher was 'almost the only inflexibly honest churchman of that age.' The desire of disparaging the reformation and its founders must have been very strong when it tempted him to such an assertion; for in that age churchmen were the only class of men among whom inflexible honesty was found. In the same sort of temper he observes that a tenth part of Henry's language, by which, according to him, the University of Oxford was intimidated, was 'enough to terrify a doctor of divinity.' Doctors of divinity were not easily terrified in the days of Martin Luther; and, as Mr. Hallam cannot but know this, he has misplaced his sneer at the profession and the order.

No persons were more pliable to the wishes of Henry VIII. during the proceedings of the divorce, and to his policy when he assumed the ecclesiastical supremacy in his own dominions, than the men who afterwards became the directors and most active instruments of the Marian persecution. Even Sir T. More, according to Cardinal Pole, perceived, at first, nothing objectionable in this assumption; but he was reclaimed from that opinion, according to the cardinal, by 'a light supernatural, and a supernatural love, given him by the mercy of God for his salvation.' The story is, that Sir Thomas was conversing with a friend upon the dangers which he apprehended from a change of religion, taking religion 'as it is, to be the grounds of the commonwealth.' This danger he expected would arise from the question concerning the sacrament of the altar, 'stiff' as the king was concerning the use of that sacrament 'after the old form and honour;' and he expressed his fear, not from any immediate likelihood which appeared, but rather, says Pole, of an instinct that the fear of God had put into his mind. His friend, perceiving more probability of such danger, 'by reason of the schism and departing from the obedience to the see of Rome, which then was most like to happen forthwith, the prince, being offended with the pope,' asked Sir Thomas earnestly of his opinion upon that point: and More answering readily, 'as his natural reason gave,' said that he took it not for a matter of so great a moment and importance, but rather 'as invented of men for a political order, and for the more quietness of the ecclesiastical body, than by the very ordinance of Christ.' This was his sudden and first answer: but he had no sooner said the word, than, as though his conscience had been stricken for so saying, 'he confessed that he had spoken without consideration, desired that what he had said might not be taken for an answer to the question: said that he had never studied the matter, and would now think better upon it, and in ten or twelve days show him his whole determinate opinion.' When the time
came,

came, 'he brake out at first sight of his friend, into a great reproach of his own self, for that he was so hasty to answer so great a matter touching the primacy of the pope. Alas, Mr. Bonvyse,' said he, 'whither was I falling, when I made you that answer, of the primacy of the church? I assure you, that opinion alone was enough to make me fall from the rest; for that holdeth up all.'

The Cardinal calls the firmness with which Sir Thomas More acted upon this opinion, and laid down his life for it, a great miracle, and an example above nature, greater than which 'had not been seen in this realm, nor in none other, many hundred years.' The wonder is, not that he, being so upright a man, should have so acted upon the opinion which he had formed; but that being so wise a one, he should have formed such an opinion. Something more than spiritual authority was meant by papal supremacy in those days, and is still meant by it at Rome, and by those Roman Catholics who would not be deemed heterodox there, and who are true to their own creed. The distinction, indeed, as Mr. Hallam observes, seems to have been little thought of in the first age of the Reformation. It is amusing to see how the Romish church historian Dodd flounders through this matter, when he treats of Paul III's bull against Henry. 'All Catholic writers,' he says, 'agree that it was in the pope's power to deprive him of all the spiritual privileges of the church, and to absolve his subjects of their obedience to him, when he required a compliance in things contrary to faith, contrary to the unity of the church, or when immorality or profaneness was commanded or encouraged: but that he could deprive him of the civil right he had to his dominions, is far from being generally allowed. 'Tis true,' (he proceeds to say,) 'a great many *ultra-montane* divines, and canonists, ascribe a kind of temporal power to the see of Rome; but they clog it with so many restrictions and reserves, and the cases when it is to take place are so very few and extraordinary, that they render it, in a manner, insignificant. However, we may suppose that Paul II. acted upon the principles of those divines, and might be induced to proceed against Henry VIII. by the examples of Gregory VII., Innocent IV., Boniface VIII., John XXII., and some few others, who followed (as my author says) their private opinion in that respect; who further adds, that perhaps Paul III. might look upon England to be a feudatory kingdom to Rome, as it once was in the reign of King John, and part of Henry III.'s reign; and that the Peter-pence was still a kind of acknowledgment of that subjection. Now when such a subjection is really due, a feudatory prince that refuseth to pay homage according to articles, may as well, by the custom and law of nations, be deprived of his dominions.'

Here are opinions, (which, being papal, must have possessed at least as much authority as the casuists allow to *probable ones*,) and precedents

precedents and points of law, sufficient to make a strong plea for rebellion against an heretical prince in times favourable for such an attempt, and to render it a question of expedience at any time.

Little could those reasoners have reflected upon the progress of society, who speculated upon social compacts, and derived rights, privileges, and prerogatives, whether of prince or people, from such an origin. In ancient history, indeed, we read of forms of polity which were proposed by some commanding minds, and accepted by the people as the model upon which their institutions should be re-constituted : but this was in small communities, and, as it were, in the childhood of the world. Except in these rare instances, governments were everywhere established by force, society having been left to settle under them as it might. It may be compared to the strata of the globe, which, in their inequalities, and anomalies, and flaws, as well as in their general disposition, bear evidence of the convulsions which they have undergone, and the force under which they have been compressed. Centuries elapsed before the two races of the conquerors and the conquered in modern Europe were incorporated, and became one people in language and in feeling. That process had been completed when the respective kingdoms acquired stability as well as strength ; and then those internal struggles began by which the nature of the government was to be determined, and, ultimately, the character of the nation formed. The struggle between the nobles and the crown had been decided in England before the Reformation,—happily for us. That between the civil and ecclesiastical authorities, in which the crown had succumbed under Edwy, under Henry II., and under John, was then renewed,—upon better principles on the part of the crown, and with a happier issue. But the victory divided the nation into two parties, those who were contented with the change, and those who were for returning into the old ways. Among the former were statesmen, who, for political or selfish views, promoted the Reformation ; nobles and courtiers who partook in the spoils of the monasteries, and were influenced by no worthier motive than the desire of keeping, by any means, what they had obtained ; the remnant of the Lollards, who had multiplied during the civil wars, when ‘ the storm was their shelter ;’ and the race of new reformers whom Luther had raised up, and to whom Tindal, and his fellow-labourers in the same sacred cause, had rendered the scriptures accessible. Among the latter were those who suffered by the spoliation, the leading members of the monastic orders, and a large proportion of the tenants, who having, from time immemorial, enjoyed the easy tenure of church-lands, were now turned over to rapacious landlords :—there were the zealots to the old superstition ; there were its de-
voted

voted subjects, who had delivered their understanding, as well as their conscience, into the priests' keeping; and there were the priests who kept them—and abused the trust. The great body of the nation desired, as it always must desire, tranquillity above all things, and willing, therefore, to repose under any settlement, acquiesced in all changes.

Mr. Hallam considers the charges which were brought against the religious houses to justify their dissolution, as well founded. The reports of the visitors, he observes, 'were not impeached for general falsehood in that age, whatever exaggeration there might be in particular cases. And it is always to be remembered, that the vices to which they bear witness are not only probable from the nature of such foundations, but are imputed to them by the most respectable writers of preceding ages.' He might have added, that the same vices are imputed to them at this day, in those countries where they are still existing. Mr. Blanco White tells us, that, in Spain, vague suspicions, 'of which the most pious Spaniards cannot divest themselves,' prevent parents from allowing their sons to frequent the interior of the monasteries. And in the life of Scipion de Ricci, we have a judicial account of the Dominican nunneries in Italy, where the depravities that were proved and confessed, equal any thing with which the regulars were charged by Henry's visitors. The revenues of which the crown took possession were amply sufficient to have made it independent of parliamentary aid, and Mr. Hallam remarks, 'it may, perhaps, be reckoned providential,' that Henry should have thrown away 'the obvious means of establishing a despotism, by rendering unnecessary the only exertion of power which his subjects were likely to withstand.' He argues, also, that the profuse alienation of the abbey-lands has proved more beneficial than any other disposition would have turned out. It was, indeed, *ultimately* of great importance to our civil constitution, that the territorial aristocracy, weakened as it had been, should be restored to that degree of weight which is necessary for the balance—though at that time there was no balance, for, whatever might be the theory of the government, the will and pleasure of the sovereign were paramount. But when Mr. Hallam triumphantly asserts, that

'better it has been that these revenues should thus, from age to age, have been expended in liberal hospitality, in discerning charity, in the promotion of industry and cultivation, in the active duties, or even generous amusements of life, than in maintaining a host of ignorant and inactive monks'—

he should have asked himself whether there was not, at least, as much liberal hospitality bestowed by the lord-abbots, as by the lord-dukes and marquises to whom his compliment is intended?

intended? whether there was not as much charity exercised by them, and with as much discernment? and whether they did not promote industry and cultivation quite as successfully,* to the extent of their means? 'The class to whom the abbey-lands have fallen have been renowned,' Mr. Hallam tells us, 'at all times, (and never more than in the first century after that transference of property,) for their charity and munificence.' Now the fact is that they were much more noted, in that age, for the prodigality of their expenditure than for the charitable or liberal direction which it received. But there is a point of comparison which may be taken. Let the history of any bishopric (no matter which), from the time of the Reformation downwards, be compared to that of any great family which derives the bulk of its estates from the church lands that were at that time alienated. It would be unjust to ask which property has been possessed by men who have been most irreproachable in their lives, and most eminent for their labours, because learning, ability, and a course of conduct conformable to their functions, are, and ought to be, required in those who are raised to high stations in the church; and whenever either of these qualifications is dispensed with, scandal is given to the public feeling, and injury is done to the public weal. But in Mr. Hallam's view of the subject, it is both just and pertinent to inquire which revenues have been most usefully and beneficially expended? from which the greater number of charitable and liberal endowments has proceeded? where the most munificent bounty, and the most discriminating charity, have been found? Mr. Hallam sneers at the *glut* of prebendaries which might have been produced if more of the conventual estates had been bestowed on chapters and colleges. Does he seriously think that there is enough of learned leisure in this country at this time?

Mr. Hallam notices the knavery of the Romish writers who have recently so grossly misrepresented the transactions of those times: 'Such panegyrics on Queen Mary and her admirers,' he says, 'and such insidious extenuations of her persecution as we have lately read, do not raise a favourable impression of their sincerity in the principles of toleration to which they profess to have been converted,' and he warns them, that the course which they are taking will not tend to diminish the hatred of popery in this nation, which has, from that time, been derived down from father to son. He censures Dr. Lingard for repeating 'what he must

* It is, indeed, but doing bare justice to the monastic establishments to acknowledge, that their inmates were, if not the introducers of agriculture into this country, at least the most successful promoters of that useful art. The improvements effected under the fostering care of the monastic orders rendered their estates a more tempting bait for lay cupidity at the dissolution.

have known to be the strange and extravagant lies of Sanders respecting Anne Boleyn's birth,' without any reprobation of their absurd malignity. He asks, with 'what face that author can put forward the least pretension to historical candour,' after asserting that Henry cohabited with Anne Boleyn three years, and repeatedly calling her his mistress? He comments upon his 'audacious assertion' that Catharine Howard was brought to the scaffold by a plot of the reformers; talks of 'the inveterate partiality of his profession,' and says, that 'a man of sense should be ashamed of such miserable partiality to his sect.' The very able author of *Lux Renata* has not expressed himself with more severity in his just and vigorous verses upon the Roman Catholic historian:—

'Sleek, snug, and subtle, round about his hole
 He grubs, and worms the dirt up, like a mole;
 Toils under ground, and from its covert rears
 The dark deposit of forgotten years.
 His dingy labours open and enlarge
 Tale, whisper, scandal, imputation, charge;
 Blasts of suspicion which reproof defy,
 Base fraud, lame slander, groundless calumny.
 Survey this Painter's gallery! On his walls
 He hangs no heads but right originals.
 New rules of art direct his light and shade,
 And all his portraits dress in masquerade.
 If pure and honoured names to scorn be thrown,
 Lovè claims the gentle GARDINER as her own;
 Ridley's a traitor, renegade, and knave,
 But Peace and Mercy weep o'er BONNER's grave.'

Clearly does Mr. Hallam perceive, and thus strongly condemn, the systematic and elaborate perversion of truth by which it is attempted to make out a favourable case for the Roman Catholics! But Mr. Hallam himself is sometimes led to form harsh and uncharitable conclusions upon very insufficient grounds; not so much, it appears, from partiality, (partial as he always is wherever party feeling can have place,) as from a disposition which seems more willingly to look for what it may censure than what it may admire and praise. He charges Luther directly with falsehood for saying, in his letter of apology to Henry, that his former vituperative reply had been written, '*invitantibus iis qui majestati suæ parum juvebant*;' which, he observes, was surely a pretence: 'for who at Wittenberg in 1521 could have any motive to wish that Henry should be so scurrilously treated?' Is Martin Luther* to be a

* When Mr. Hallam speaks of the Lutherans of Germany, he makes a remarkable mistake; they were far less favourably disposed to the king, he says, in their opinion on the divorce than the Catholic theologians, 'holding that the prohibition of marrying a brother's widow in the Levitical law was not binding on Christians.' Instead of prohibiting, the Levitical law, as is well known, enjoins such marriages.

liar, because Mr. Hallam cannot discover what enemy, personal or political, of Henry VIII. may have been at Wittenberg in the year of our Lord 1521? Catharine Parr, he says, is celebrated by our reformers as a pattern of piety and virtue, yet she married in a few months after Henry's death. This is surely no impeachment of either her piety or virtue, though it may be of her prudence, considering the unhappy choice she made. He suspects that Edward VI. had too much Tudor blood in his veins, and says, that the manner in which he speaks in his journal of both his uncles' executions does not show a good heart, and that his letter to Barnaby Fitzpatrick is in the same strain. Are, then, reputations thus to be impugned for thoughts of the heart, of which no evidence, no indication even can be produced? In the journal, as Fuller says of the letter also, 'it plainly appeareth that the king was possessed with an opinion of his uncle's guiltiness, whether or not so in truth, God knoweth.' Could any expression of commiseration be looked for where this persuasion existed, even if the journal had not (which Mr. Hallam had previously remarked, and therefore ought to have remembered) been written 'with the precise brevity of a man of business?' If ever unequivocal proofs of goodness were manifested in a short life, it was by this diligent, dutiful, gentle-hearted, heavenly-minded prince.

A like injury is offered to the memory of Cranmer, whom Mr. Hallam pronounces 'not entitled to any extraordinary veneration.' 'Though it is most eminently true of him,' he says, 'that his faults were always the effect of circumstances, and not of intention, yet this palliating consideration is rather weakened when we recollect that he voluntarily placed himself in a situation where those circumstances occurred.' Now it is certain that by no prudence could Cranmer, being a man of learning and a priest, have placed, or kept, himself in a station in which his integrity would not have been tried, as it were, by fire: there was in that age no retreat for such men, no place of safety, no Goshen where they might rest in the calm and sunshine of an innocent life and an approving conscience, while the darkness and the storm prevailed over the rest of the land. It is certain, also, that he did not voluntarily accept the primacy; we have his own solemn asseveration, that 'there never was man came more unwilling to a bishopric.' Having 'a just and primitive sense' of the office, he looked on it with fear and apprehension, and entreated that he might be delivered from a burden which he thought himself unable to bear. He was 'really unwilling,' says Fuller, 'to embrace the preferment, having *aliquid intus*, something within him which reluctated against those superstitions through which he must wade in the way thereunto. But there lieth no *Nolo episcopari* against King Henry

Henry his *volo te episcopum esse*; it being as mortal to refuse favours *from* him, as to offer injuries *to* him.' The principle of compulsory service was carried far in former days; and though a perseverance in his refusal might not have exposed Cranmer to punishment, it would have drawn upon him the displeasure of a king, to whom he felt himself bound by individual gratitude, as well as by the common duty of a subject—a duty which it was not the tendency of that age to undervalue. This was the certain alternative; and, rather than incur it, he consented to an invidious, and arduous, and perilous preferment. It is an abuse of terms to call this a voluntary consent;—circumstances forced him into the situation.

But Mr. Hallam's censure is carried farther. The memory of this venerable father of the English church being odious to the Roman Catholics, they have brought an accusation against him, that, just before he took the oath of obedience to the see of Rome, at his consecration, he retired into a private room and protested against it. Burnet and Strype had proved that there was no privacy in the transaction; and Mr. Todd has shown, from the register, which still exists among the manuscripts at Lambeth, that the protestation was made openly and publicly, before witnesses specially and officially named. Upon this Mr. Hallam observes, that it is of no importance to inquire whether the protest were made publicly or privately, for nothing can possibly turn upon that point. Nothing? when the accuracy of the charge, and the fidelity of those by whom it has been repeated, are to be proved or disproved by it! But, says Mr. Hallam, 'the question is, whether, having obtained the bulls from Rome on an express stipulation that he should take a certain oath, he had a right to offer a limitation, not explanatory, but utterly inconsistent with it. We are sure that Cranmer's views and intentions, which he very soon carried into effect, were irreconcilable with any sort of obedience to the pope; and if, under all the circumstances, his conduct was justifiable, there would be an end of all moral obligation.' 'By what casuistry,' Dr. Lingard asks, 'could the archbishop elect reconcile them with his conscience?' The answer is obvious; by that of the Romish casuists and of the Romish church—taught in their books, inculcated in their schools, approved by their authorities, and acted upon by their disciples,—bear witness, History, with what faithful faithlessness!

This would be the sufficient reply, were there in the case a breach of integrity as flagrant as the Prynnes of old and the Romanists of late have represented; for Cranmer scrupled at the oath, thinking that it would bind him from pursuing those reforms in ecclesiastical affairs which ought to be made: canonists and casuists

were then consulted, and they, in Burnet's words, 'found a temper which agreed better with their maxims than with Cranmer's sincerity;' they advised 'a good and formal protestation' before he took the oath, that he did not bind himself up thereby from anything that he was bound to by his duty to God, or to the king, or to the commonweal, and specially not from counselling or consenting to any reformation of religion and the government of the English church.' This protestation he did not privately smother in a corner, but publicly interposed it three several times, once in the chapter-house before authentic witnesses; again on his bended knees at the high altar, many people and bishops beholding him, when he was to be consecrated; and the third time, when he received his pall in the same place. 'There was no clandestine equivocation,' says Fuller, 'or mental reservation here.' The protest nullified the oath, and, when Cranmer consented to take it with this previous nullification, it was because at that time he had emancipated himself as little from the casuistry, as from some of the pernicious opinions and doctrines, of the corrupt church in which he had been bred. Cranmer did not lead the Reformation—he followed it cautiously and fearfully; but the fearfulness proceeded as much from a careful conscience, as from a constitutional distrust of his own strength. When Mr. Hallam says, that 'this first deviation from integrity' (as he is pleased to consider it) 'drew after it many others, and began that discreditable course of temporizing, and of undue compliances, to which he was reduced for the rest of Henry's reign,' he should have remembered that it drew after it other consequences most honourable to himself and most beneficial to this nation. Neither does it appear, nor is there any reason for supposing, that however much he may at times have regretted his elevation, an acquiescence in the casuistry which removed his scruples was, at any time, considered by him as among the sins whereof he had cause to repent. He entered upon the primacy with an upright mind and a religious intention; and in happy hour did he take upon himself the responsibility of that most important and then most perilous station,—in happy hour for England, for the protestant cause, for us, and for our posterity.

For Mr. Hallam's remarks upon the weakness and pliability of Cranmer, it will suffice to reply in the eloquent lines of *Lux Renata* :—

'Not at that moment when his face drew nigh,
And the piled stake already met his eye;
When death, with agonizing step and slow,
Approached, but lingered on the uplifted brow:
When present remorse, hate and avenged assailed—
Not then the weak and gentle Cranmer failed.'

Reb-

‘Relatively,’ Mr. Hallam says, ‘to the course that things had taken in Germany, and to the feverish zeal of that age, the moderation of Cranmer and Ridley was very conspicuous, and tended above every thing to place the Anglican church in that middle position which it has always preserved between the Romish hierarchy and that of the protestant denominations.’ He had just before expressed an opinion ‘that Cranmer’s abilities were not, perhaps, of a high order, or at least they were unsuited to public affairs;’ yet it should seem from the acknowledgment which we have here quoted, that his abilities were excellently suited to those affairs which immediately belonged to his department, and which in that age were, of all public affairs, immeasurably the most important. But Mr. Hallam is more coldly inclined to the Reformation itself, than would formerly have been thought becoming in a professed Whig, or consistent with the principles for and by which the Prince of Orange was invited to be our deliverer. We have, indeed, from him, the important admission, (and from him it is important at this time, considering the intrepid ignorance with which the plain and palpable truth is denied in public assemblies,) that the Romish religion is a system of polytheism.

‘Those who have visited some (Roman) Catholic temples, and attended to the current language of devotion, must (says Mr. Hallam) have perceived, what the writings of apologists or decrees of council will never enable them to discover, that the saints, but more especially the Virgin, are almost exclusively the popular deities of that religion.’

He admits, also, that the great change of religious opinions was not so much effected by reasoning on points of religious controversy, as by a persuasion that fraud and corruption pervaded the established church. These, too, as well as ‘the polytheism, were swept away by the reformers;’ and here also is an essential difference between the two systems, for fraud and corruption pervade the papal church as thoroughly at this time as they did then. Politically, and with the object of lessening the weight of the ecclesiastical order in temporal affairs, he thinks there cannot be the least hesitation as to the expediency of having discontinued auricular confession; and upon general grounds he inclines to the same conclusion. But concerning the immediate moral effect of the practice he demurs:—

‘There seems,’ he says, ‘to be something in the Roman Catholic discipline, and I know nothing else so likely, which keeps the balance, as it were, of moral influence pretty even between the two religions, and compensates for the ignorance and superstition which the elder preserves; for I am not sure that the protestant system in the present countries where the comparison can fairly be made, as in Germany or Switzerland, there is more honesty in one sex, or more chastity in the other, when they belong to the reformed churches.’

Now

Now with regard to a comparison between the effect of the two systems upon the general morals of a community, it might be sufficient to remember that the *cavaliere servente* and the *cortejo* are recognised personages in the domestic arrangements of middle and high life, in Italy, and in the most Catholic kingdom of Spain;—arrangements implying a degree of profligacy, to which nothing in any degree approaching can be found in any Protestant country. What difference of morality there may be in the Romish and the Reformed cantons of Switzerland, it would require much knowledge of the inhabitants to say: but who can travel in Switzerland without perceiving a marked and melancholy difference in the condition of the people, when he passes from a Protestant to a Popish canton? He leaves a people who are in a state of comfort and contented independence; and no sooner has he past their border, than he finds want and beggary; and, if opportunity for manifesting it be afforded, the Englishman may find also an inhospitable incivility, which arises not from the character of the Swiss peasantry, but from the principle of bigotry which is inculcated with the Romish creed. If the Protestants in Germany have no marked superiority over the Romanists in their present state of morals, it is because Protestantism is there undermined by infidel professors of theology, betrayed in many parts by its ministers, and everywhere starved by the state. The regulation that certain preferments, civil and ecclesiastical, were to be held alternately by papists and protestants, was not likely to encourage religious sincerity. We are told, indeed, that, where these benefices were not of such importance that the reversion might be regarded as belonging to certain families, it was common for candidates of both religions to present themselves upon a vacancy, conformity, in case of success, being looked upon as a matter of course, and to which no impropriety or ignominy was attached by public opinion. It is said, also, that in those parts where the religions—or the professions rather—are most intermixed, girls were bred up to regard the distinction as indifferent; in order that, when they became marriageable, there might be no objection to a husband on that score. Where this laxity of religious principle is encouraged, the bonds of moral obligation may be expected to sit loose. In the Low Countries, what but difference of religion will explain the visible difference of morals in the great cities of Flanders and of Holland,—between Ghent, for example, and Leyden? The balance of moral influence, then, is not so even as Mr. Hallam would represent. Is there any protestant country in which such offences cry to heaven for fire and brimstone as in Italy,—the very centre and sink of papal Christendom? Is there any Roman Catholic country which can be compared with,—we will not say
with

with England or Scotland,—but with Holland, for general decorum, for quiet order, for public probity, for private virtues, for domestic comfort and happiness?

As to the practice of confession, to which Mr. Hallam ascribes a salutary effect, compensating for the ignorance and superstition of a church which is supported by corruption and fraud, the fact will, upon inquiry, appear to be what, in clear reasoning, we might expect to find, that this practice tends to prevent small offences, and to encourage great ones. The shame of having to make confession will, in many cases, prevail against light temptations; but when that shame wears off, or is worn out, a belief in the efficacy of absolution as surely increases the hardihood with which crimes are committed of the blackest die. A curious proof of this was given when the Duc de Vendome commanded in Italy. He had put to death a great number of robbers and assassins, and this severity had no effect in deterring others from the commission of similar enormities. At length he bethought himself of taking the Italians on their weak side; and, therefore, gave orders that all who were apprehended for murder should be hung instantly, without allowing a priest to approach them; and this made an impression which the fear of death could not make. The bandits had robbed and murdered merrily, in full reliance that, if they were unlucky enough to be taken and executed, the confessor would make all secure at last,—but to be hurried into the other world without an acquittal in full from all demands, was a danger at which the most desperate ruffians quailed.

Mr. Hallam is not more fortunate in his observations upon the next point of difference on which he treats.

‘It has very rarely,’ he says, ‘been the custom of theologians to measure the importance of orthodox opinions by their effect on the lives and hearts of those who adopt them: nor was this predilection for speculative above practical doctrines ever more evident than in the leading controversy of the sixteenth century, that respecting the Lord’s supper. No errors on this point could have had any influence on men’s moral conduct, nor indeed much on the general nature of their faith.’

A more inconsiderate proposition has seldom been advanced by any one whose writings are entitled to the slightest degree of consideration. There are few errors of opinion which do not carry with them some latent evil, showing itself in consequences, more or less pernicious as occasion may call it forth. It is the case in morals and in politics. It is the case in physics, and in metaphysics; and especially in the metaphysics of theology. *Il y a dans les erreurs une connexion, que la plupart ne voyent pas, ou ne veulent pas voir.* But the practical

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consequence of the Roman Catholic doctrine concerning the eucharist is plain and palpable ; and it was because it led surely and immediately to that practical consequence, that the portentous corruption was designed and imposed upon the Christian world by the most impious jugglery, and by the most inhuman persecution. There is a memorable passage concerning this doctrine in Bishop Gardiner's 'Explication and Assertion of the true Catholique Fayth, touchyng the moost blessed Sacrament of the Aulter.'*

'Solomon's judgement,' he says, 'hath this lesson in it, ever where contention is, on that part to be the truth, where all sayings and doings appear uniformly consonant to the truth pretended ; and on what side a notable lie appeareth, the rest may be judged to be after the same sort: for truth needeth no aid of lies, craft or slight, wherewith to be supported and maintained. So, as in the intreating of the truth of this high and ineffable mystery of the sacrament, on what part thou, reader, seest craft, slight, shift, obliquity, or on any one point an open, manifest lie, there thou mayest consider whatsoever pretence be made of truth, yet the victory of truth not to be there intended.'

It required no small portion of intrepidity thus to advance and apply this truth, for whole volumes have been filled with the lying miracles fabricated in support of transubstantiation. On that doctrine the favourite argument for the celibacy of the clergy was rested ; on that doctrine the Romish clergy founded their claim to an exemption from all secular authority, because, in the exercise of their functions, they said, they created God their Creator ! Against this monstrous impiety the Reformers appealed to reason and scripture ; in support of it, and of the consequences which were admitted to follow from its establishment, the Papists appealed to fire and sword. Yet Mr. Hallam gravely declares that 'no errors on this point could have had any influence on men's moral conduct, nor, indeed, much on the general nature of their faith !' No influence on their moral conduct ? Why, of all the errors in the Roman Catholics' belief, this it is which has occasioned the greatest number of blasphemous frauds, and of atrocious cruelties ! No influence on the general nature of their faith ? as if any thing could influence the general nature of faith

* 'With confutation of a booke written agaynst the same. Made by Steven, Byshop of Wynchester, and exhibited by his own hande for his defence, to the kynges majesties commissioners at Lambeth. Anno 1551.' The book to which this was written in reply, is Cranmer's ; and Gardiner, in his preface, says he thinks it 'not requisite to directe any speache by speciall name to the person of him that is entitled autor, because it may possibly be that his name is abused, wherewith to set furth the matter, beyng himsele of such dignitie and auctorite in the commonwelth, as for that respect should be INVIOABLE. It is a thing,' he adds, 'to me greatly to be merveiled at, that such matter shuld now be published out of my lord of Cantorburies peme ; but because he is a man, I will not wondre ; and because he is such a man, I will REVERENTLY USE HIM.'

so much as the belief of a proposition which cannot be believed except in direct opposition to our senses !

The language which Mr. Hallam uses concerning the doctrine of the English church upon this point, will probably surprise the better part of his readers, as much as it must certainly and justly offend them. He talks of 'the want of acuteness or correct knowledge in our ecclesiastical partisans;' it would not be easy to detect, in the feeblest of them, such broad proofs of bluntness or sciolism as this anti-ecclesiastical partisan himself has displayed upon this subject. Bishop Ricci, of Pistoia, would have taxed him with Capharnaïm. The sacrament of the Lord's supper is a subject which no one who receives the gospel (and Mr. Hallam is not to be accounted among those pestilent writers who reject it) should approach without reverence. But even the comfortable self-complacence with which he designates the doctrine of our church upon this solemn rite, as 'a jargon of bad metaphysical theology,' is less reprehensible than his insinuation that it is to be considered rather as a politic device, than as the genuine opinion of those Reformers by whom it was introduced. The superciliousness of presumptuous error, even upon such a subject, is not so offensive as the spirit of detraction with which Mr. Hallam is possessed, whenever he finds occasion to speak of the founders or the illustrious ornaments of the English church. The present insinuation is directed chiefly against Bucer, whom he describes as a man 'not of a very ingenuous character,' qualifying the charge with 'it is said,' but at the same time adopting it. A little more inquiry into the character of this venerable man might have shown him that Bucer was commended for *the integrity of his life and conversation*, in an age when integrity (and in its heroic degree) was not so rare a virtue as Mr. Hallam supposes. And with a little more research into the history of the doctrine he might have learnt that, in the final arrangement of our service, the opinion which was followed was not that of Bucer or Calvin, but of Ridley.*

Mr. Hallam charges the author of the 'Book of the Church' with inaccuracy upon an historical point connected with this subject.

'An eminent living writer (he says), who would be as useful as he is agreeable, if he could bring himself to write with less heat and haste, says, that at Elizabeth's accession, among other changes, "the language

* Some of our readers may thank us for directing them to 'an Inquiry, on grounds of Scripture and Reason, into the Use and Import of the Eucharistic symbols,' a little treatise printed at Dublin in 1824. It is composed with the unaffected humility of sincere devotion, and it enters with that spirit into the heights and depths of divine philosophy. Mr. Hallam, if he condescends to look at it, may not like it the less for being the work of a layman.

of the article which affirmed a real presence, was so framed as to allow latitude of belief for those who were persuaded of an exclusive one." 'The real presence,' (Mr. Hallam proceeds to say,) 'was not affirmed, but denied, in the original draft; and as to what Mr. S. calls "an exclusive one," (that is, transubstantiation, if the words have any meaning), it is positively rejected in the amended article.'

Thus the charge stands; and we may say with Panurge, *c'est parlé cela galamment, sans circumbilivaginer autour du pot*. But Mr. Southey may spare himself the trouble of replying to the accusation in his own person, for Mr. Hallam has, in another place, himself repeated the statement which he has thus thought proper to impugn.

'The words used in distributing the elements,' he says, 'were so contrived, by blending the two forms successively adopted under Edward, as neither to offend the Popish or Lutheran, nor the Zuinglian communicant. A rubric directed against the doctrine of the real or corporal presence was omitted. This was replaced after the restoration.'

One who is so severe an exactor of accuracy in others, ought to be more observant of it himself. This passage, as far as it is accurate, agrees entirely with that in the 'Book of the Church,' which had been so roundly contradicted in a preceding page; and it is for Mr. Hallam to determine, at which time he was writing with heat and haste, and at which with coolness and deliberation,—at page ninety-eight, where he contradicts Mr. Southey, or at page one hundred and nineteen, where he contradicts himself.

The same desire of conciliating the Roman Catholics which was manifested by Elizabeth and her counsellors in this instance, induced them also to expunge from the Liturgy a prayer for deliverance from the bishop of Rome, and all his detestable enormities. Mr. Hallam admits that some pains were then taken to soften what was most obnoxious to them, and that in consequence they generally attended the English church.

'Some of our late defenders of the Reformation,' he observes, '(but *non tali auxilio*, &c.) are seriously disposed to complain that the English (Roman) catholics were not suffered quietly to go on in their conformity, that is, to become as hearty protestants as their neighbours in the next generation. One argument of these amusing reasoners is, that the church service, though it did not contain all they believed, yet contained nothing they denied. Thus it appears, that men are to be censured for refusing to act on a principle, not only which they do not themselves acknowledge, but which their adversaries would be just as unwilling to admit in any application to their own case; for I presume Mr. — would not think it right to live in sole and constant communion with an Unitarian congregation.'

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The argumentum ad hominem (to whomsoever it is addressed) may be easily answered. The English Roman Catholics acknowledged the principle which appears to him so preposterous, and they acted upon it without scruple, and were allowed to act upon it by their own clergy. Mr. Hallam himself says, 'they complied with exterior ceremonies; they persuaded themselves, and the English priests, uninstructed, and accustomed to a temporizing conduct, did not discourage the notion, that the private observance of their own rites would excuse a formal obedience to the civil power.' The consequence of this conformity would, in his own opinion, have been, that in another generation they would have become Protestants, which Mr. Hallam, supersaturated as he is with malevolence toward the Anglican church, would certainly not consider as an evil. The defenders of the Reformation (those, at least, whose writings have come within our observation) make no such complaint as is here, with an air of triumphant ridicule, made for them. They state the facts, that the English government was desirous of bringing over the English Romanists by conciliating them, and that they were in the disposition and in the way to be so conciliated, till the Pope interposed his foreign authority. To that foreign authority, at least, Mr. Hallam will not profess himself a friend; but when he next amuses himself with the amusing reasonings of those who are more consistently opposed to it, his argument may perhaps gain more in weight than it can possibly lose in wit, if he represents their statements fairly. Elizabeth's laws against the Romanists

'established a persecution,' says Mr. Hallam, 'which fell not at all short in principle of that for which the inquisition had become so odious. Nor were the statutes merely designed for terror's sake, to keep a check over the disaffected, as some would pretend. They were executed in the most sweeping and indiscriminating manner, unless, perhaps, a few families of high rank might enjoy a connivance.'

It is not in ignorance that Mr. Hallam has ventured upon this monstrous exaggeration; if it were, we would retort upon him his own arrogant question, 'whether gentlemen are bound to write books, wherein, for want of knowledge, they advance the most untenable positions?' Did Elizabeth's laws then punish the Roman Catholics with death for their creed? Did they burn them for believing in transubstantiation, as the protestants were burnt for not believing in it? or for worshipping the saints and the Virgin, as the protestants were burnt for not worshipping them? Did they break the bonds of confidence between man and man, the ties of affection, the obligations of natural piety,—compelling friend to accuse his friend, the parent to inform against the child, and the child against the parent, the husband against the wife, the wife

wife against the husband? But Mr. Hallam is here again self-contradicted; in the same page he allows that no woman, as far as he remembers, was put to death under the penal code, 'which of itself,' he says, 'distinguishes the persecution from that of Mary, and of the house of Austria in Spain and the Netherlands,'—and, let us add, from every religious persecution.

Five degrees of restraints and penalties upon religious opinions are specified by Mr. Hallam. A test of conformity, required as the condition upon which offices of civil trust are to be held, is the first, and he admits that this

'may, under rare circumstances, be conducive to the political well-being of a state, and can then only be reckoned an encroachment on the principles of toleration, when it ceases to produce a public benefit sufficient to compensate for the privation it occasions to its objects.'

Such, he says, was the English Test Act in the interval between 1672 and 1688; and such, we maintain, it ever will be, while the clergy continue to be one of the three estates of the realm, and the church a constituent part of the English constitution. The second step is to restrain the free promulgation of opinions, especially through the press; and here also he allows that cases may be imagined, where the free discussion of controverted doctrines may, for a time at least, be subjected to some limitation for the sake of public tranquillity. The severer class of restrictions which prohibit the open exercise of religion, he can scarcely conceive necessary in any case except that of glaring immorality: probably, however, he would admit the propriety of prohibiting them when they are likely to disturb the peace. The fourth degree is when the laws 'afford no indulgence to the most private and secret acts of devotion, or expression of opinion,' (there is a great difference, he it observed, between the two;) and with these, he says,

'in no possible case can it be justifiable for the temporal power to intermeddle.' 'The last stage of persecution is to enforce, by legal penalties, a conformity to the established church, or an abjuration of heterodox tenets;' and 'least of all,' he observes, 'can the temporal power carry its inquisition into the heart's recesses, and bend the reluctant conscience to an insincere profession of truth, or extort from it an acknowledgment of error, for the purpose of inflicting punishment.'

Least of all *ought it to attempt this*, is what Mr. Hallam should have said; for this can be, and has been, and is at this day, done, wherever the authority of the Roman Catholic church is absolute.

'The statutes of Elizabeth's reign,' he proceeds, 'comprehend every one of these progressive degrees of restraint and persecution. And it is much to be regretted, that any writers worthy of respect should, either

either through undue prejudice against an adverse religion, or through timid acquiescence in whatever has been enacted, have offered for this odious code the false pretext of political necessity. That necessity, I am persuaded, can never be made out: the statutes were, in many instances, absolutely unjust; in others, not demanded by circumstances; in almost all, prompted by religious bigotry, by excessive apprehension, or by the arbitrary spirit with which our government was administered under Elizabeth.

In which of Elizabeth's ministers, we would ask Mr. Hallam, was that religious bigotry to be found which would persecute the Roman Catholics, even unto death, for their opinions in matters of faith? Was it in Bacon, or in Walsingham, or in Cecil, or in Leicester, who pledged himself to the King of Spain, that if by his favour he might obtain the Queen in marriage, he would re-establish the Roman Catholic religion in England? The Queen herself, he admits, 'seems always to have inclined rather to indulgence, than extreme severity.' This might have been stated, not as a point admitting of reasonable doubt, but as a truth proved by the whole tenour of her reign. We have, however, a more full acknowledgment from Mr. Hallam, (in that self-contradiction with which his work abounds,) that the so-called persecution for which he arraigns Elizabeth, and which he compares with the inquisition for its principle, differs as much in kind as in degree from the Marian persecution, and from all Roman catholic persecutions; that it had in view, not the suppression of religious opinions, still less their extirpation, but the personal safety of the sovereign, and the security of the state,—in fact, that it was not persecution.

'There seems nevertheless to be good reason for doubting, whether any one who was executed might not have saved his life by explicitly denying the pope's power to depose the queen. It was constantly maintained by her ministers, that no one had been executed for his religion. This would be an odious and hypocritical subterfuge, if it rested on the letter of these statutes, which adjudge the mere manifestation of a belief in the Roman Catholic religion, under certain circumstances, to be an act of treason. But both Lord Burleigh, in his *Execution of Justice*, and Walsingham, in a letter published by Burnet, positively assert the contrary; and I am not aware that their assertion has been disproved. This certainly furnishes a distinction between the persecution under Elizabeth, (which, unjust as it was in its operation, yet as far as it extended to capital inflictions, had in view the security of the government,) and that which the protestants had sustained in her sister's reign, springing from mere bigotry and vindictive rancour, nor even shielding itself at the time with those shallow pretexs of policy which it has of late been attempted to set up in its extenuation. But that which renders these condemnations of popish priests so iniquitous, is, that the belief in, or rather the

refusal

refusal to disclaim, a speculative tenet, dangerous indeed and incompatible with loyalty, but not coupled with any overt act, was construed into treason; nor can any one affect to justify these sentences, who is not prepared to maintain, that a refusal of the oath of abjuration, while the pretensions of the house of Stuart subsisted, might lawfully or justly have incurred the same penalty.'—vol. i. pp. 176, 177.

The points of resemblance between Macedon and Monmouth may be more satisfactorily made out than the similarity of the two cases which Mr. Hallam has thus compared. Pope Pius V. had excommunicated Elizabeth, and in a special bull absolved her subjects from their allegiance; forbade them to obey her or her laws, and excommunicated all who should not obey the prohibition;—that is, he had passed sentence of damnation upon them, by an authority which every Roman catholic acknowledged and was bound to believe supreme. However justly Elizabeth regarded her Roman catholic subjects as, what Cecil called them, half-hearted Englishmen, she instituted no inquisition into their opinions; but after this bull had been published, and by an English papist fastened, in broad day, upon the Bishop of London's gates in St. Paul's Churchyard, she then made it treason for any one to convert, or be converted to a religion which enjoined disloyalty and treason,—a religion to which no one could then become a convert without binding himself in conscience to disobey her and her laws. Is Mr. Hallam prepared to assert that there existed the same reason for requiring the oath of abjuration in latter times, as for exacting the oath of supremacy then; and that the same hostility to the sovereign, and danger to the state, was to be apprehended from the Jacobite who refused the one, as from the Jesuit, or the pupil of the Jesuits, who refused the other? The Jacobite acknowledged the authority of the king *de facto*; and if he engaged in any intrigues for restoring the person whom he held to be king *de jure*, it was by his own free will, at the risk of his life alone, which was voluntarily risked. The papist was commanded to disobey an heretical and accursed sovereign; the command was laid upon him by the personage to whom, according to his belief, God had delivered over the power and dominion in heaven and earth; no choice was left him; and the penalty for not committing treason was to be everlasting damnation. Was it possible for Elizabeth to tolerate the propagandists of this doctrine? And it was against them, and them alone, that the severity of her laws was directed; not sweepingly and indiscriminately, as Mr. Hallam asserts, but with just discrimination, and in necessary self-defence.

The priests of a former generation were not confounded with those who were popularly called bull-papists. But an act was
passed

passed against Jesuits, seminary priests, and other such, regular or secular, 'ordained beyond sea according to the order and rites of the Romish church.' Such persons, it was said in the act, 'came and were daily sent into these realms, of purpose to withdraw the subjects from their due obedience, and to stir up sedition, rebellion, and open hostility within this kingdom, to the great danger of the queen's person, and the utter overthrow of the whole realm. This, it was said, had appeared as well by sundry of their own examinations and confessions, as by divers other manifest means and proofs.' In fact, it was proclaimed and boasted of by them—wherever they could safely boast. Campian had declared for himself and his brother-jesuits, in a public oration, that while any of them were alive, all their care and industry, all their deliberations and councils should *never cease to trouble the calm and safety* of Elizabeth's government. Mr. Hallam, however, says, nothing that he has read 'affords the slightest proof of Campian's concern in treasonable practices, though his connexions and profession as a Jesuit make it by no means unlikely.' The legal proofs have perished; but does Mr. Hallam doubt that Campian was as deep in treason as his chosen friend and companion, the traitor of traitors, Father Persons? He is not always so scrupulous in requiring proof. A Romish writer charges Bishop Aylmer with having sent a young catholic lady to be whipped in Bridewell for refusing to conform; and Mr. Hallam says, if the authority is suspicious, the fact is probable!—About as probable as that London was shaken by an earthquake, the day on which the pope ordered Campian from Prague upon the English mission, and that the Thames stood still on the day of his execution, to the astonishment of the Londoners, when they saw that its ebb and flow were thus miraculously suspended. These miracles are not so incredible as it would appear, if the fact were not before us, that Mr. Hallam should seek to accredit such a slander. He might, with no greater stretch of candour, have signified his willingness to believe upon Ribadeneyra's assertion, that catholic maidens of honourable birth were sent to the stews by Elizabeth's ministers, for prostitution, because they would not renounce the pope, nor assent to any thing contrary to the Romish faith. 'I do not perceive,' he says, 'that Rishton (from whom the charge is quoted) is a liar like Sanders!' But the accusation shows him to have been so; and Mr. Hallam knows that the priests and Jesuits of that age were as ready to lie for their cause, as to die for it: upon so sophisticated a scheme of morals were they trained to proceed, even when they exposed their lives with perfect self-devotement for what they believed to be the cause of God!

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The laws against such men were enacted in self-defence. The personal safety of the queen, the welfare of the people, and the security of the state, which at that time depended essentially (under Providence) upon her life, required and justified them. Mr. Hallam allows that there was one perpetual conspiracy of Rome and Spain against Elizabeth during the greater part of her reign ; that these men were the sworn vassals of Rome and Spain ; that the continent was full of writings published by them against what they termed her unlawful usurpation ; and that their object (it cannot, he says, for a moment be doubted) was nothing less than to subvert her throne. ' I know no creature that breatheth,' said this excellent Queen, ' whose life standeth hourly in more peril than mine own ! ' ' I have seen her majesty,' said the lord keeper, ' wear at her girdle the price of her blood. I mean jewels which have been given to physicians to have done that unto her which I hope God will ever keep from her.'

' If their power be answerable to their wills,' said one of her ministers, when the law against the seminarists was proposed, ' this realm shall find at their hands all the miseries and extremities that they can bring upon it. The certain determination which the pope and his combined friends have to root out the religion of the gospel in all places, and to begin here as their greatest impediment, is cause sufficient to make us the more vigilant, and to have a wary eye to their doings and proceedings. If they can, they will procure the sparks of the flames that have been so terrible in other countries, to fly over into England, and to kindle as great a fire here. What difference there is between the pope's persecuting church, and this mild church of the gospel, hath been seen in all ages, and especially in the late government, compared with the merciful times of her majesty's reign : but when by long proof we find that this favourable and gentle manner of dealing with the disobeyers and contemners of religion, to win them by fair means if it were possible, hath done no good, but hath bred in them a more arrogant and contemptuous spirit, so as they have not only presumed to disobey the laws and orders of the realm, but also to accept from Rome secret absolutions, reconciliations, and such like, and that by the hands of lewd runagates, priests and jesuits, harbouring and entertaining them even in their houses, thereby showing an obedience to the pope : by their direction also nourishing and training up their children and kinsfolks, not only at home, but also abroad, in the seminaries of popery, now I say it is time for us to look more narrowly and strictly to them, lest as they be corrupt, so they prove dangerous members to many born within the entrails of our commonwealth. And seeing that the lenity of the time, and the mildness of the laws heretofore made, are no small cause of their arrogant disobedience, it is necessary that we make a provision more strict and severe—that if they will needs submit themselves to the benediction of the pope, they may feel how little his curses can hurt us, and how little his blessings can save them from

from that punishment which we are able to lay upon them; letting them also find how dangerous it shall be for them to deal with the pope, any thing of his, or with those Romish priests and jesuits; and therefore with also how perilous it shall be for those seditious runagates to enter into the land, to draw away from her majesty that obedience which, by the laws of God and man, are due unto her. This, then, is one of the provisions which we ought to take care of in this council, whereby we may both enjoy still that happy peace we live in, and the pope take the less boldness to trouble us, by any favour he shall find here.'

Under such provocation, and for such paramount reasons of state, the penal laws were enacted against a class of men who were trained up to regard treason and rebellion as religious duties. The act commanded all jesuits, seminary priests, and others who had received foreign ordination, or had been ordained in these dominions according to the Romish rites, since the first year of the queen's reign, to leave the kingdom within forty days; it was declared high treason for them to remain after that time, (except in case of such lawful impediment of sickness as the act specified;) for any such to enter the queen's dominions, unless they presented themselves on their arrival, and took the oath; and for any persons to harbour them. Are such enactments to be reprobated as tyrannical and inquisitorial, called forth as they were for self-defence and self-preservation, in the age of Philip II. and the Guises,—the age of the Bartholomew massacre,—an age when, if an Englishman were discovered in the king of Spain's dominions, or in Italy, he was seized by the Inquisition, delivered over by that tribunal to the secular arm, and burnt alive for no other crime, or pretext of a crime, than his adhering to the religion of his country? When Mr. Hallam condemns Elizabeth for what he calls her unjust aggressions on the liberty of conscience, and attributes to this cause 'the whole, or nearly the whole,' of that disaffection in the main body of the Roman catholics during her reign, which he wishes to disprove, but reluctantly admits, may have existed, he should ask himself upon what principle the Roman catholics could complain of aggressions on the liberty of conscience? It was a recognised rule in the wars of old times, that they who gave no quarter, received none: by the same rule of reason no party can lay claim to more toleration than it grants.

This rule applies also to the Puritans. Mr. Hallam says 'there are few,' he trusts, 'who can hesitate to admit, that the puritan clergy, (of Elizabeth's reign,) after being excluded from their benefices, might still claim, from a just government, a peaceful toleration of their particular worship.' Yet, as is usual with him, forgetful in another place of what he has said in this, he admits that their writings 'prove irresistibly' that they would have

made 'no compromise short of the overthrow of the established church.' 'There is no middle course,' he says, 'in dealing with religious sectaries, between the persecution that exterminates, and the toleration that satisfies.' What, then, was to be done with those whom toleration would not satisfy, who despised toleration for themselves, and would have been satisfied with nothing less than the ascendancy which enabled them to refuse it to others? 'As to you, dear brethren,' Mr. Hallam quotes the passage from one of their tracts, 'whom God hath called into the brunt of the battle, the Lord keep you constant, that ye yield neither to toleration, neither to any other subtle persuasions of dispensations and licenses, which are to fortify their Romish practices; but, as you fight the Lord's fight, be valiant.' But it is 'a rule of human policy,' he tells us, 'to favour the more efficient and determined party,' though it may not be the more numerous; and he delivers it as his opinion, that the state by receding from the uniformity which it prescribed, might have, in a great measure, palliated, if not put an end, for a time, to the discontent that so soon endangered the new establishment. Thus perpetually is this gentleman involving himself in self-contradiction, because he sees things partially. When at any time he has been constrained to acknowledge truths which are too manifest to be overlooked, he presently dismisses them from his mind, and reverts to that system of sweeping liberalism to which his opinions, and more unhappily his feelings also, are conformed. Setting out upon his course with the supercilious carriage of a modern Whig, he carries his head so haughtily that he overlooks the truths in his way, sees them not unless he stumbles over them, and then, no sooner recovers his footing, than he proceeds as confidently and as blindly as before.

Arguing in support of the preposterous doctrine, that government ought in policy to favour a party which is hostile to the religion of the country, provided it be determined and dangerous, Mr. Hallam says, 'we should not allow ourselves to be turned aside by the common reply, that no concessions of this kind would have ultimately prevented the disunion of the church upon more essential differences than these litigated ceremonies (to which the Puritans objected); since the science of policy, like that of medicine, must content itself with devising remedies for immediate danger, and can at best only retard the progress of that intrinsic decay which seems to be the law of all things human, and through which every institution of man, like his earthly frame, must one day crumble into ruin.' The reasoning here is as fallacious as the similitude which is introduced for the purpose of supporting it. The science of politics, if it content itself with devising remedies for immediate danger, instead of acting with preventive foresight,

foresight, ceases to be a science; it becomes a mere course of expedients, and shifts, and subterfuges, more likely (as all history bears witness) to accelerate the downfall of a state, than to delay it. To the comparison, in which Mr. Hallam advances what is a very common, and may, in its consequences, be a very mischievous error, we will reply in the words of a modern traveller:— ‘It is one of the tritest suppositions,’ says Mr. Webb, (taken as, of course, for granted,) ‘that as other great empires have fallen, so must come the turn of Britain. I have ever held this dogma in scorn, as being devoid of support from reason or analogy, which in this matter is history. A state, in one respect, resembles neither trees, nor any other production of nature, of which development is, by an inevitable law growing out of its organization, in preparation and maturity of its decay and dissolution. Luxury is but a comparative term: that luxury is not pernicious or criminal which effeminates not the body, and debases not the mental powers. There never was any nation in which riches were in such practical diffusion as in England, yet England may challenge any people, ancient or modern, for bodily force, or for intellectual vigour. It is clear, therefore, that from the possession and enjoyment of wealth cannot be inferred national deterioration or decadence. Then, such a political organization as ours the world has not elsewhere known, with powers in constant action to reproduce sound institutions, and to lop off those which have decayed. Each generation, to be sure, must be, and for its own sake, the guardian of its own blessings; and being so, it discharges its duty to all that are to follow; and thus imperial station, with blessings in continuance, and stability to

“Our sons of sons in series thro’ all time,”
ceases to be a vision. But it behoves us to hold fast to our national institutions, which are national distinctions, and to keep clear from the mire of our continental neighbours. As long as we are true to British virtues—as long as a sense of the blessings of law and religion shall be the basis of British dignity, and the flame of gratitude for these blessings mingle with the blaze of each family fire-side, so long Britain shall stand in happiness at home, and exempt from foreign dangers. As long as we have a living root, as long as liberty and religion are our practical strength, we are safe.*

Esto perpetua is, indeed, the prayer which an Englishman ought to breathe for the constitution of his country; and perpetuated that happy constitution may be, if but half as much zeal be exercised in maintaining it as is perpetually at work with the abominable hope of destroying it.

* Minutes of Remarks on Subjects Picturesque, Moral, and Miscellaneous, made in a course along the Rhine, and during a residence in Switzerland and Italy, in the years 1822 and 1823. By William Webb, Esq., M.R.I.A., Deputy Commissary-General to the Forces. 1827. This is a very singular performance, wherein a great deal of sound feeling and excellent observation is presented in a most peculiar style. The matter and the manner are frequently in curious contrast; but both are original.

At that work the Puritans were engaged from the beginning. Elizabeth and her ministers (the most sagacious counsellors with whom any sovereign of these kingdoms has been blest) clearly perceived the nature and sure tendency of their tenets, which indeed were little concealed in England, and openly proclaimed elsewhere; and James, as South has said with his characteristic strength of sense and expression, 'hated their opinions heartily, because he understood them thoroughly.' 'There never rose faction in the times of my minority,' says that reviled and slandered king, 'nor trouble since, but they that were upon that factious part were ever careful to persuade and allure these unruly spirits among the ministry, to spouse that quarrel as their own: wherethrough I was oftentimes calumniated in their popular sermons, not for any evil or vice in me, but because I was a king, which they thought the highest evil.' James committed a grievous error when he gave his sanction to the Calvinists at Dort; and grievously his family were punished for it, in the result of those schemes wherein that fatal connection engaged the Elector Palatine, and in the lessons which were imported into England from the school of Franeker. His excuse, as far as he may be excused, is to be found in the complication of intrigues and interests, which in Holland at that time combined wise political views with the most unsound and dangerous tenets in divinity. But this was a peculiar combination: in England, Calvinism took its natural course, and schism and rebellion, its twin offspring, went lovingly hand in hand. It has not been sufficiently brought into view that the church was overthrown, not by the Nonconformists who were kept out of the Establishment, but by the Calvinists,* who were admitted into it; its enemies might in vain have assailed it from without, if it had not been betrayed from within. This was the consequence of Abbot's system of conduct, during his unhappy primacy. Mr. Hallam admits that he connived at the irregularities of the puritanical clergy, and praises him for so doing—that is, for doing all the injury in his power to the Establishment, which it was his bounden duty carefully and vigilantly to maintain!

No portion of English history has been, and continues to be, so greatly misrepresented as the reign of Charles the First and the

* Much information upon this subject, and upon the age of the great rebellion, (more indeed than is collected elsewhere,) may be found in a modern work, under the unpromising title of Calvinism and Arminianism compared in their principles and tendency, by James Nichols, 1824. The book is put together without any of the arts of authorship, in that spirit of patient and disinterested diligence, which looks for no other reward than the consciousness of being faithfully and usefully employed. It ought to have a place in every historical, and in every ecclesiastical library. Mr. Nichols has also published the first volume of a translation of the works of Arminius, with a great deal of important matter in the prolegomena and notes.

Great Rebellion. Mr. Hallam classes Mr. Brodie* and Mr. Godwin, for the glaring partiality of their statements, with Oldmixon, and Harris, and Mrs. Macauley. Neal, he says, is 'full of dishonest bigotry';—yet, elsewhere, he praises him as 'an honest and well-natured man at bottom!'

Verbaque dicuntur dictis contraria verbis.

One of our old dramatists says, 'the bottom of gravity is nothing like the top;' but one who is honest at bottom will be honest everywhere, and where we find, as in Neal, a heart hardened with bigotry, a mind puffed up with self-conceit, an understanding dulled and stiffened with prejudice, a malevolent temper, and a slanderous tongue—the rump of such a man's honesty may be valued at what it is worth. Neal is not the most dishonest writer of his faction, only because there is a point beyond which malice and misrepresentation cannot go; and some of his followers, armed like him in complete brass, have advanced to that point as undauntedly as himself. Mr. Hallam goes only a certain length with these writers; for though ill-will to the church is manifested throughout his work, he has no love for the puritans; and, while attacking, on every occasion, what it is now the fashion to call the principle of legitimacy, but which was known by the good English name of loyalty in former times, he betrays no predilection for a republic. But he is not outdone by Neal himself in that uncharitable and ill-conditioned temper which puts the worst construction upon the actions of all those to whom he is opposed in opinion, nor in that presumptuous spirit which passes its sentences of condemnation as confidently as if it could see into the secrets of the heart. He hints at a resemblance between Alva and Strafford, and pronounces that 'Laud would not have been a good man in private life!' Happy is it for those whom party-spirit can induce to palliate and vindicate the crimes of a faction, that they have not lived in times when that spirit might have engaged them in a direct participation of the guilt! Speaking of Roger North, Mr. Hallam asks, 'what would this fellow have been in power, when he writes thus in a sort of proscription twenty years after the revolution?' What would Mr. Hallam, it may be retorted, have been in the days of the Long Parliament,

* M. Guizot characterises this gentleman's work thus in the preface to his *Histoire de la Révolution d'Angleterre*: '*M. Brodie partage, contre Charles 1^{er}. et les cavaliers, toutes les préventions, toutes les méfiances, toutes les colères des plus amers puritains; et aucune des fautes, aucun des torts de ces derniers ne frappe ses regards. Il semble que tant de passion doive produire un récit très-animé, où le parti du moins qui excite dans l'âme de l'écrivain une telle sympathie sera peint avec vérité et chaleur. Il n'en est rien: malgré l'ardueur de ses préoccupations, M. Brodie étudie et ne voit point, discute et ne peint point; il admire le parti populaire sans le mettre en scène; et son ouvrage est une savante et utile dissertation, non une histoire morale et vivante.*'

when

when he can thus, at this time, participate, we will not say in the principles, but in the worst passions, of the party whom he labours, as a special pleader, to justify!

'If a man is to commit errors,' says Mr. Hallam, 'let it at least not be in defence of oppression and inhumanity.' The advice is good, and no writer may profit more by attending to it than Mr. Hallam himself. He calls the attainder of Lord Strafford a cruel and sanguinary measure, but in the same sentence he qualifies this admission by adding that, in the eyes of posterity, it has been exposed to greater reproach than it deserved. He praises the impeachment, 'not only as a master-stroke of that policy which is fittest for revolutions'—(God preserve us from such policy!)—'but as justifiable by the circumstances wherein they (the Parliament) stood.' The circumstances in which the leaders of the parliament at that time stood, were these: they had instigated the Scotch to take arms against the king, and march an army into England; and for this treason, of which it is not pretended that even a doubt can be entertained, they would have been impeached if they had not prevented the danger by striking the first blow, and depriving the king of a minister whom they feared as much as they hated. The master-stroke being thus justified by Mr. Hallam, let us see how he justifies the subsequent proceedings. He allows that not more than two or three of the charges amounted to treason; but then it is the unquestionable right of the commons to blend offences of a different degree in an impeachment! As an apology, at least, for the judicial opinion, that Strafford deserved to undergo the pains and penalties of high treason by law, it may be remarked,' he says, 'that raising money by his own authority, and quartering troops on the people of Ireland, in order to compel obedience to his unlawful requisitions, does at least approach very nearly, if we may not say more, to a substantive treason within the statute of Edward III., as a levying war against the king—even without reference to some Irish acts upon which the managers of the impeachment relied.' It should seem to be an Irish construction this, which makes the raising money for the king's service, with his knowledge and by his approbation, to come under the head of levying war on the king, and therefore to be high treason! 'And if Strafford,' he proceeds, 'could be brought within the letter of the law, and was also deserving of death for his misdeeds against the commonwealth, it might be thought enough to justify his condemnation, although he had not offended against what seemed to be the spirit and intention of the statute. This should at least restrain us from passing an unqualified censure on those who voted against him.'

'If we pay such regard to the principles of clemency and moderation, and of adherence to fixed rules of law, as to pass some censure on this deviation

deviation from them in the attainder of Lord Strafford, we must not yield to the clamorous invectives of his admirers, or treat the prosecution as a scandalous and flagitious excess of party vengeance. Look round the nations of the globe, and say in what age or country would such a man have fallen into the hands of his enemies, without paying the forfeit of his offences against the commonwealth with his life. They who grasp at arbitrary power, they who make their fellow-citizens tremble before them, they who gratify a selfish pride by the humiliation and servitude of mankind, have always played a deep stake, and the more invidious and intolerable has been their pre-eminence, their fall has been more destructive, and their punishment more exemplary. Something beyond the retirement or the dismissal of such ministers has seemed necessary to "absolve the gods," and furnish history with an awful lesson of retribution. The spontaneous instinct of nature has called for the axe and the gibbet against such capital delinquents. If then we blame, in some measure, the sentence against Strafford, it is not for his sake, but for that of the laws on which he trampled, and of the liberty which he betrayed. He died justly before God and man, though we may deem the precedent dangerous, and the better course of a magnanimous lenity unwisely rejected; and in condemning the bill of attainder, we cannot look upon it as a crime.'—vol. i. pp. 572, 573.

We refrain from offering any comment upon this passage; it may safely, in spite of the energetic flow of its diction, be left to the feelings of every reader in whom party-spirit has not extinguished all sense of justice and humanity. It is only necessary to remind the reader, in the words of Hume, that 'all the difficulties by which the king had been induced to use violent expedients for raising supplies were the result of measures previous to Strafford's favour; and if they arose from ill conduct, he at least was entirely innocent. Even those violent expedients themselves, which occasioned the complaint that the constitution was subverted, had been all of them conducted—so far as appeared—without his counsel or assistance. And whatever his private advice might be, this salutary maxim he failed not, often and publicly, to inculcate in the king's presence, that if any inevitable necessity ever obliged the sovereign to violate the laws, this license ought to be practised with extreme reserve, and as soon as possible a just atonement be made to the constitution for any injury which it might sustain from such dangerous precedents.' Well then might Hume say, that 'the sentence by which he fell was an enormity greater than the worst of those which his implacable enemies prosecuted with so much cruel industry.' It has been said by a great authority in such things, that, when rulers dip their hands in blood, a blunder is worse than a crime: the speech came from the school of Buonaparte and the French revolution, and consequently no one was surprised at it; but when we find it taken up as a maxim,
and

and expanded into a grave and sober argument by an English author of no ordinary pretensions, and no ordinary talent also, it behoves us, for the honour of England, to protest against the abominable adoption !

Whatever errors Hume may commit, he never pleads in favour of an enormity like this ; and some gratitude is due to him for having made a part of Strafford's admirable defence familiar to general readers. Owing to him it has become one of the speeches which boys declaim at school ; and there is no specimen of oratory, ancient or modern, which can be with more advantage laid up in an English heart. The former part of that memorable speech is not so popularly known ; a portion of it may, therefore, here be fitly presented.

' My lords, this day I stand before you charged with high treason ; the burden is heavy, yet far the more in that it hath borrowed the patrociny of the House of Commons : if they were not interested I might expect a no less easy than I do a safe issue and good success to the business. But let neither my weakness plead my innocence, nor their power my guilt. If your lordships will conceive of my defences as they are in themselves, without reference to either (and I shall endeavour so to represent them), I hope to go away from hence as clearly justified as I am in the testimony of a good conscience by myself. My lords, I have all along my charge watched to see that poisoned arrow of treason, which some men would fain have to be feathered in my heart, and that deadly cup of wine that hath so intoxicated some petty misalleged errors, as to put them in the elevation of high treason : but, in truth, it hath not been my quickness to discern any such monster yet within my breast, nor perhaps, by a sinisterous infamation, sticking to my clothes. They tell me of a twofold treason—one against the statute, another by the common law ; this direct, that consecutive ; this individual, that accumulative ; this in itself, that by way of construction. For the first I must and do acknowledge, that if I had the least suspicion of my own guilt, I would spare your lordship the pains, cast the first stone at myself, and pass sentence of condemnation against myself ; and whether it be so or not, I refer myself to your lordship's judgment and declaration. You and only you (under the favour and protection of my gracious master) are my judges ; under favour, none of the commons are my peers, nor are they my judges. I shall ever celebrate the providence and wisdom of your noble ancestors, who have put the keys of life and death (so far as concerns you and your posterity) into your own hands, not into the hands of your inferiors. None but your own selves know the rate of your noble blood, none but yourselves must hold the balance in dispensing the same.'

Having replied to the articles which charged him with treason against the statute, he proceeded thus :—

' To make up the constructive treason, or treason by way of accumulation, many articles are brought against me, as if in a heap of felonies

or

or misdemeanors, for in their concert they reach no higher, some profane seed, apt to produce what is treasonable, could lurk. Here I am charged to have designed the ruin and overthrow both of religion and state. The first seemeth rather to have been used to make me odious than guilty, for there is not the least proof alleged concerning my confederacy with the popish faction, nor could there be any indeed. Never a servant in authority under the king my master was ever more hated and maligned by these men than myself, and that for an impartial and strict execution of the laws against them. But, my lords, give me leave to pour forth the grief of my soul before you: these proceedings against me seem to be exceeding rigorous, and to have more of prejudice than equity—that upon a supposed charge of my hypocrisy or errors of religion, I should be made so monstrously odious to three kingdoms! A great many thousand eyes have seen my accusations whose ears shall never hear that when it came to the upshot I was never accused of them. Is this fair dealing amongst Christians? But I have lost nothing by that: popular applause was ever nothing in my conceit; the uprightness and integrity of a good conscience was, and ever shall be, my continual feast. And if I can be justified in your lordships' judgment from this grand imputation, (as I hope I now am, seeing those gentlemen have thrown down the bucklers,) I shall account myself justified by the whole kingdom, because by you, who are the epitome, the better part, yea the very soul and life of the kingdom.

‘As for my design against the state, I dare plead as much innocency here as in matter of my religion. I have ever admired the wisdom of our ancestors, who have so fixed the pillars of this monarchy, that each of them keeps a due proportion and measure with the other, and have so handsomely tied up the nerves and sinews of the state, that the straining of any one may bring danger and sorrow to the whole economy; the prerogative of the crown and the property of the subject have such mutual relations, this takes protection from that, that foundation and nourishment from this; and as on the lute, if any one string be too high or too lowly wound up, you have lost the harmony, so here the excess of prerogative is oppression, of pretended liberty in the subject disorder and anarchy. The prerogative must be used as God doth his omnipotency—on extraordinary occasions; the laws (answerable to that *potentia ligata in creaturis*) must have place at other times. And yet there must be a prerogative if there must be extraordinary occasions; the property of the subject is ever to be maintained if it go in equal pace with this; they are fellows and companions, that are and ever must be inseparable in a well-governed kingdom, and no way so fitting, so natural, to nourish and entertain both as the frequent use of parliaments; by these a commerce and acquaintance is kept betwixt the king and subject. These thoughts have gone along with me these fourteen years of my public employments, and shall, God willing, to my grave. God, his majesty, and my own conscience—yea, and all those who have been accessary to my inward thoughts and opinions, can bear me witness that I ever did inculcate this, that the happiness

of a kingdom consists in a just poise of the king's prerogative and the subject's liberty, and that they would never go well till they went hand in hand together.

'I thank God for it, by my master's favour and the providence of my ancestors, I have an estate which so interesteth me in the commonwealth, that I have no great mind to be a slave, but a subject; nor could I wish the cards to be shuffled over again, upon hopes to fall upon a better set; nor did I ever nourish such base mercenary thoughts as to become a pander to the tyranny and ambition of the greatest man living. No, I have, and ever shall aim, at a fair but a bounded liberty; remembering always that I am a free man, yet a subject—that I have a right, but under a monarch. But it hath been my misfortune, now that I am grey-headed, to be charged by the mistakers of the times, who are now so highly bent, that all appears to them to be in the extreme for monarchy which is not for themselves. Hence it is that designs, words, yea intentions are brought out for real demonstrations of my misdemeanors; such a multiplying glass is a prejudicate opinion.'

He then went through the other articles against him, and having disproved them with a manliness worthy of his character and his cause, he proceeded:—

'My lords, you see what may be alledged for this constructive, rather destructive, treason. For my part, I have not the judgment to conceive that such a treason is agreeable either with the fundamental grounds of reason or law: not of reason,—for how can that be treason in the lump or mass which is not so in any of the parts? or how can that make a thing treasonable which in itself is not so? not of law, since neither statute, common law, nor practice, hath from the beginning of this government ever mentioned such a thing.'

He then rose into that higher strain of impassioned eloquence, the very remembrance of which ought to make an honest man redden with a sense of something like repentance, if he has, for a moment, been deluded into taking part with his legal assassins, and becoming an accessory after the fact to one of the worst crimes which is recorded in English history. Its effect was such, that even Pym, bloodhound as he was, quailed before him, and faltered* in the delivery of his premeditated plea for the intended murder. Whitelock, though one of the managers of the impeachment, acknowledges the compunction which he felt, and expresses himself more equitably, more humanely, more generously than Mr. Hallam,—who writes on this occasion as if he had put off all sense of generosity, of humanity, and of justice. 'Certainly,' says White-

* 'It was a sport to see how Mr. Pym in his speech was fearfully out, and constrained to pull out his papers and read with a great deal of confusion and disorder before he could recollect himself; which failing of his memory was of no small advantage to the lieutenant, because by this means the house perceived it was a premeditated flash, not grounded upon the lieutenant's last answer, but resolved on before, whatsoever he should say for his own justification.'—*Howell's State Trials*, iii. 1469.

lock, 'never any man acted such a part, on such a theatre, with more wisdom, constancy, and eloquence, with greater reason, judgment, and temper, and with a better grace in all his words and gestures, than this great and excellent person did; and he moved the hearts of all his auditors, some few excepted, to remorse and pity.' Whitelock himself was not wicked enough to be among those few. After saying that Strafford died with charity, courage, and general lamentation, he adds, 'thus fell this noble earl, who for natural parts and abilities, and for improvement of knowledge by experience in the greatest affairs, for wisdom, faithfulness, and gallantry of mind, hath left few behind him that may be ranked equal with him.'

Two circumstances of no little importance as throwing light (if more light were needed) upon the motives and morality of the persons who mainly promoted this legal or extra-legal murder, are left unnoticed by Mr. Hallam—the plan of his history (which is, in fact, no history, but a series of essays on history) allowing him this convenient license. 'There was a proposal,' says Whitelock, 'to restore the Earl of Strafford to his former favour and honour if the king would prefer some of the *grandees* to office at court, whereby Strafford's enemies should become his friends, and the king's desires be promoted.' The *grandees* who are named are Lord Say, Pym, Holles, and Hampden. But the arrangement failed, 'by what means is uncertain, and the great men baffled thereby became the more incensed and violent against the earl.' The proposal, it must be observed, was not merely to spare Strafford's life, but to restore him to his former favour and power, and to become his friends; the *grandees*, as their colleague calls them, wanted places and power, and being disappointed in their expectations, they determined upon shedding the blood of the man with whom, if they might have been taken into office, they were willing to have coalesced. This fact alone might suffice to reclaim an ingenuous mind from the worship of Pym and Hampden. The other fact may show that Strafford would not so readily have compromised his character by such a coalition. After the sentence was past, and the king had given that fatal consent for which his own subsequent misfortunes were not too severe a punishment, a message was sent him by Holles, that his life should yet be spared 'if he would employ his power and credit with the king' for abolishing episcopacy in the established church; and to this what Laud has justly called his *heroical and Christian answer* was, that he would not buy his life at so dear a rate.

'In their judgment, who were men of worth, and some upon, some near the scaffold, and saw him die, he made a patient, and pious, and courageous end; insomuch, that some doubted whether his death had

more

more of the Roman or the Christian in it, it was so full of both. And notwithstanding this hard fate which fell upon him, he is dead with more honour than any of them will gain who hunted after his life. Thus ended the wisest, the stoutest, and every way the ablest subject that this nation hath bred these many years. The only imperfections which he had that were known to me—(it is Laud who speaks, his friend and fellow-martyr)—were his want of bodily health, and a carelessness (or rather roughness) not to oblige any; and his mishaps in this last action were, that he groaned under the public envy of the nobles; served a mild and a gracious prince, who knew not how to be or be made great; and trusted false, perfidious, and cowardly men in the northern employment, though he had many doubts put to him about it. This day was after called by divers, *Homicidium Comitil Straffordiae*, the day of the murder of Strafford; because when malice itself could find no law to put him to death, they made a law of purpose for it. God forgive all, and be merciful!

Evelyn, in his Diary, says—

‘I beheld on Tower-hill the fatal stroke which severed the wisest head in England from the shoulders of the Earl of Strafford, whose crime coming under the cognizance of no human law, a new one was made, not to be a precedent, but his destruction; to such exorbitancy were things arrived.’

Yet this exorbitancy, this perversion of law, this mockery of justice, this national crime, is palliated, and excused, and justified, and all but openly extolled, by Mr. Hallam; by Mr. Hallam, who has elsewhere so properly said—‘If a man is to commit errors, let it at least not be in defence of oppression and inhumanity.’ The opinion which Laud and Evelyn express of Strafford’s unrivalled ability, was held also by those of his contemporaries in other countries, who were best able to estimate it. Richelieu, while he looked with complacency at the troubles in England which he had fomented, spoke with contempt of a nation which was so foolish, he said, that they would not let the wisest head amongst them stand on its own shoulders. Did our limits permit, we would set before the reader abundant proof that in everything which Mr. Hallam has said of this great statesman, there is as little justice, as little generosity, and as little charity shown, as in the vindication of his murder; that Bedford and Lord Say, Pym and Hampden, St. John and Sergeant Maynard, were not more determined upon taking away his life, than the constitutional historian is upon depreciating his reputation and vilifying his character. We would show that, in an age when the constitution was yet unsettled, the crown claiming a dangerous prerogative, and a strong faction aiming at the overthrow of the church, and the establishment of an ecclesiastical tyranny, absolute as that of the papal church, over both the prince and the
people,

people, he was of opinion that the absolute power, by which, if wisely and consistently exerted, anarchy might have been averted, was at least preferable to the despotism in which anarchy is sure to end. We would show that the passages which Mr. Hallam has invidiously extracted from the correspondence between Laud and Strafford, as proving their design to introduce a thorough tyranny, refer not to any such design, but to a thorough reform in the affairs of state, and the thorough maintenance of just authority. We would show that Strafford had, not only the service of the king, his master, but the interests of religion, and the honour and welfare of his country, deeply, dutifully, and devoutly at heart; and that it was ever his desire and aim, as Ben Jonson has said of one of his colleagues,

‘ In all the proved assays
And legal ways
Of trial, to work down

Men’s loves * unto the laws, and laws to love the crown.’

We would represent him as he was; stern, but not unconciliating; ambitious, but with a heart that yearned after better things than ambition; and with tastes and pursuits that would have enabled him to enjoy and dignify retirement; despising his enemies, with too much confidence in his integrity and in the superiority of his talents, yet not estimating himself above his true deserts; and neither blind to his own defects, nor seeking to conceal or to extenuate them with those whom he respected and loved; vigilant, far-sighted, indefatigable, firm; neither to be swayed by fear nor favour; not the faithfulest subject whose fidelity has ever in these kingdoms been put to the proof, because in evil times the confessors and martyrs of loyalty have been many; (in the worst of times, God be thanked, there has been redeeming virtue enough to fill their ranks!) not the wisest statesman that ever bore part in our councils, because England had been blessed with Burleigh for a minister; not the most vigorous, because we have had Cromwell and Marlborough; but equal even to these in vigour and capacity, and inferior to no man.

Did our limits permit, we would show also what has been well observed by a most diligent and meritorious author,† intimately conversant with the history of that age, and better acquainted than any other person with what were then the bearings and effects of religious opinions upon political affairs, that the constitution, even at its deepest depression in Charles’s days, contained within itself copious materials for self-restoration; and that the course pursued by the Calvinistic malcontents was not that which the laws suggested

* Query lives?

† Mr. James Nichols, in his ‘Calvinism and Arminianism compared.’

for the redress of grievances. We would show that the grievances which excited discontent arose from no scheme of tyranny in the crown, but from the remains of feudal oppression and the rapacity of powerful men, among whom were some of those who were most active in instigating and directing the rebellion; that the financial difficulties which accelerated the crisis, and without which that crisis could not have been brought about, were not produced by any wasteful expenditure on the part of Charles's government, but by the conduct of parliament at the commencement of his reign, in withholding the just and necessary supplies; and, finally, by the Scotch insurrection, raised by the intrigues of France, and of a knot of factious men, who are at this day called patriots by a certain party, because, having succeeded in rebellion, they escaped the punishment of treason; that the intolerance and persecution were not on the side of the laws and the establishment, but of the puritans; that there was no design of subverting the liberties of the nation, but that there was a settled purpose of overthrowing the church and the monarchy; that the king appealed to the laws, and his opponents to the prejudices, the passions, and the physical force of the people. It is impossible for us here to enter upon this wide subject; but we will not suppose that the duty (for such it has become in this age of systematic misrepresentation) will long remain unperformed; rather we will hope that it may be undertaken by some person qualified for the task by ability, industry, and accuracy, added to those principles which were formerly the proud characteristics of England, and on which the strength and the safety of these kingdoms are founded, and alone can rest.

There remain, however, two subjects which we must not pass without notice. One relates to Archbishop Laud, whom Mr. Hallam labours to depreciate and to criminate with as much zeal as if the gown of St. John or Maynard had descended to him. He has, indeed, the grace to say that the execution of Laud, at the age of seventy, 'without the slightest pretence of political necessity, was a far more unjustifiable instance of the tyrannical abuse of power, than any that was alleged against him.' But he introduces this by asserting that Laud had amply merited punishment; he disparages his talents, insinuates doubts of his religion, and calumniates his character in other respects, even to the length of saying that he 'would not have been a good man in private life.' That we may not be suspected of dealing with Mr. Hallam as he has dealt with Laud, some of his own words shall be here adduced.

'His talents, though enabling him to acquire a large portion of theological learning, seem to have been hardly above mediocrity. There

There cannot be a more contemptible work than his *Diary*; and his letters to Strafford display some smartness, but no great capacity. He managed, indeed, his own defence, when impeached, with tolerable ability; but, on such occasions, ordinary men are apt to put forth a remarkable readiness and energy. No one can deny that he was a generous patron of letters, and as warm in friendship as in enmity. But he had placed before his eyes the aggrandisement, first of the church, and next of the royal prerogative, as his end and aim in every action. Though not literally destitute of religion, it was so subordinate to worldly interests, and so blended in his mind with the impure alloy of temporal pride, that he became an intolerant persecutor of the puritan clergy; not from bigotry, which in its usual sense he never displayed, but systematic policy. And being subject, as his friends call it, to some infirmities of temper, that is, choleric, vindictive, harsh, and even cruel to a great degree, he not only took a prominent share in the severities of the Star-Chamber; but, as his correspondence shows, perpetually lamented that he was restrained from following further lengths.—It is not easy to give Laud credit for much religion. In a prayer, composed by him on the birth of the Prince of Wales, in 1630, he says, “Double his father’s graces, O Lord, upon him, *if it be possible.*” In his voluminous correspondence with Wentworth, we seek in vain, not for the sort of cant which distinguishes the age, but for what the letters of an eminent churchman might be expected to contain—some indication of a sense of duty towards God or man.—Upon his trial, he defended himself, not always prudently or satisfactorily, but with courage and ability; never receding from his magnificent notions of spiritual power, but endeavouring to shift the blame of the sentences pronounced by the council on those who concurred with him. The imputation of popery he repelled by a list of the converts he had made; but the word was equivocal, and he could not deny the difference between his protestantism and that of our reformation.’

Mr. Hallam has observed, that the prejudices of party exercise a strange influence on matters of taste; he is himself a living proof that they exercise it in matters of greater moment. The opinions, which we have just quoted, upon the life, character, and conduct of Laud, are, in the last degree, uncharitable, ungenerous, and unjust. The reluctant admission of any ability which he displayed, any virtue which he possessed, and the *but, but, but*, which regularly follow, to qualify, and weaken, and invalidate it, remind us of Pope’s bitter censure upon Atticus, for wanting soul to praise the worth which he secretly admired: but the constitutional historian is not to be suspected of any such secret admiration; he is not to be suspected of rendering in his heart the justice which his words deny. The spirit of party and the prejudices of party have paralysed in him that part of his intellectual and moral nature which, if it had not been so palsied, must have felt and acknowledged, if not the wisdom, at least the sincerity, the

the virtue, the magnanimity, the religious heroism of the martyr whom he has traduced.

'Prejudged by foes, determined not to spare,
An old, weak man, for vengeance thrown aside,
Laud, "in the painful art of dying," tried,
(Like a poor bird entangled in a snare,
Whose heart still flutters, though his wings forbear
To stir in useless struggle,) hath relied
On hope, that conscious innocence supplied.—

Wordsworth's Ecclesiastical Sketches.

—On that innocence the persecuted old man relied, believing that justice, even in this world, would be rendered to his memory, when the wicked should have had their day. That there should be different opinions concerning the wisdom of his intentions, and the prudence of the means which he employed for carrying them into effect, might be expected; but that any person should call in question the goodness of those intentions, and whether they proceeded from a sincere and pious mind, may indeed appear surprising; still more, that any one should flatly disbelieve his solemn protestations made on the scaffold, with death and judgment in view; that the confuted calumnies of the Wildes and the Maynards, the Pym and the Prynnes, should be reproduced as the authentic grounds upon which an authoritative and final condemnation was to be passed; and that we should be told he had 'amply merited punishment.'

When Mr. Hallam informs his readers, that the talents of this martyred prelate were hardly above mediocrity, it might be supposed that he delivered the opinion without having thought it necessary to peruse the relation of his conference with Fisher, the Jesuit,—that book, which even his enemy, Sir Edward Dering said, 'would strike the Papists under the fifth rib when he was dead,'—that book, which Charles, in one of his last interviews with his children, recommended to them, with the sermons of Bishop Andrews, and the great work of Hooker, as sufficient to arm them effectually against the errors of popery. But Mr. Hallam must, at least, have looked into the History of his Troubles and Trial; and he must have read his defence, which he is pleased to say was made with 'tolerable ability,' and yet not so much, according to his comment, as that which ordinary men are apt to display on such occasions;—for they, he tells us, frequently exhibit a remarkable readiness and energy; and the ability, which was manifested by Laud, he only characterises as tolerable. Now we affirm, in direct contradiction to the opinion of Mr. Hallam, that Laud's defence is as complete and satisfactory, as the charges against him were false and futile; that in eloquence, where it admitted of elo-

quence,

quence, it is not surpassed even by Strafford, the excellence of which no one has yet possessed sufficient effrontery to disparage; and anything finer than his dying address to the people, and his dying prayer, is nowhere to be found, in all the tragedies which history presents. For proof of this, the reader is referred to his life, by Heylyn, or to his own History of his Troubles and Trial, or to the abstract in Mr. Southey's Book of the Church. Not to perceive the sufficiency, the force, the pathos, and the sublimity of those speeches, implies a want of feeling; not to acknowledge them, if they are felt, implies a want of fairness.

'There cannot,' says Mr. Hallam, 'be a more contemptible work than his Diary.' Surely it is as unreasonable to found a charge of incapacity against Laud, upon his Diary, as it was to circulate it among those who were to be his judges, as containing proofs or aggravations of the treason with which he was charged. A brief register of passing events; briefer notices of things relating to himself; and long past mementos, in some cases intelligible only to himself, and in all cases intended for no eyes but his own,—of hopes and fears, which had had their course, errors into which he had fallen, dangers from which he had been delivered, and sins whereof he still repented; these form the greater part of that private note-book, which appears so contemptible to a liberal, philosophical, and constitutional historian of the nineteenth century; and, perhaps, the account of dreams and apparent omens, which it contains, may seem to him still more to be despised; though there are persons who may see, in all this, some proofs of simplicity of heart, of integrity, humility, self-watchfulness, and Christian faith. But on the last leaf of the book, in which this Diary was written, there were also written in the archbishop's hand, a few memoranda thus inscribed:—'Things which I have projected to do, if God bless me in them;' and from them some opinion may be formed, whether the little religion, which Mr. Hallam allows him to have possessed, was, indeed, so subordinate to worldly interests, as his posthumous persecutor represents; or, whether Laud himself spoke truly in the History of his Troubles, when he said, 'I have made it manifest to the world, that wealth is not my aim; for, whatsoever benefit hath accrued to me, over and above my necessary and decent expenses, I have refunded back upon the poor, or the public, or the church from whence I had it; as in better times churchmen were wont to do.' Among the projects we find the following:—

'To build at St. John's in Oxford, (where he was bred up,) for the good and safety of that college.—Done.

'To procure King Charles to give all the impropriations yet re-

maining in the crown, within the realm of Ireland, to that poor church.—Done and settled there.

- ‘To annex for ever some settled *Commendams*, and those, if it may be, *sine curâ*, to all the small bishoprics.—Done for Bristol, Peterborough, St. Asaph, Chester, and Oxford.
- ‘To find a way to increase the stipends of poor vicars.
- ‘To set up a Greek press in London and Oxford, for printing of the library manuscripts, and to get both letters and matrices.—Done for London.
- ‘To settle an hospital and land in Reading (his native place) of 100*l.* a-year, in a new way. I have acquainted Mr. Barnard, the vicar of Croydon, with my project. He is to call on my executors to do it, if the surplusage of my goods, after debts and legacies are paid, come to 3000*l.*—Done to the value of 200*l.* *per annum.*
- ‘To erect an Arabic lecture in London, at least for my lifetime, my estate not being able for more, that this may lead the way, &c.—Done. I have now settled it for ever. The lecture began to be read, August 10, 1636.’

Mr. Hallam might have found also (if he had been willing to find it) in this poor despised Diary, some indications of that sense of duty towards God and man, of which he has said (we shall presently see with what truth) that none are to be found in his correspondence with Strafford. There is an entry, for example, in these words, relating to one of the projects which he lived to effect:—‘*Jan. 1, (1633-4.)—The way to do the town of Reading good for the poor; which may be compassed by God’s blessing upon me, though my wealth be small. And I hope God will bless me in it, because it was his own motion in me: for this way never came into my thoughts (though I had much beaten them about it) till this night as I was at my prayers. Amen, Lord.*’ Some sense of duty, of integrity, and of piety, he might have found,—if he had been willing to find it, in such passages as these:—

‘The king gave me leave to hold the presidentship of St. John’s college in Oxon in my commendam with the bishopric of St. David’s; but by reason of the strictness of that statute, which I will not violate, nor my oath to it, under any colour, I am resolved before my consecration to leave it;—That part of the sentence, in which this conscientious determination is expressed, is one of the passages which were maliciously and dishonestly omitted by Prynne. When the conference with Fisher was sent to the press, he says, ‘*Nunquam antehac sub prælo laboravi. Nullus controversor. Et ita oro, amet bectque animam meam Deus, ut ego bene et ad gloriam nominis ejus sopitas cupio conorque Ecclesiæ nunquam satis defendas distractiones.*’ ‘*Jan. 30.—Sunday night. My dream of my blessed Lord and Saviour Jesus Christ. One* of

of the most comfortable passages that ever I had in my life.' 'Apr. 29. *Die Solis. Factus sum serenissimo Regi Carolo à consiliis secretioribus. In honorem suum, et bonum Regni et Ecclesie, oro, vertat Deus.*' '1629. Two papers were found in the Dean of St. Paul's his yard, before his house. The one was to this effect concerning myself:—Laud, look to thyself; be assured thy life is sought. As thou art the fountain of all wickedness, repent thee of thy monstrous sins, before thou be taken out of the world, &c. And assure thyself, neither God nor the world can endure such a vile counsellor to live, or such a whisperer; or to this effect. The other was as bad as this against the lord treasurer. Mr. Dean delivered both papers to the king that night. Lord, I am a grievous sinner; but, I beseech thee, deliver my soul from those that hate me without a cause.—My chancellor of London brought me word, how miserably I was slandered by some separatists. I pray God give me patience, and forgive them.'

Let us turn, now, to that correspondence with Strafford in which Mr. Hallam has sought in vain, he tells us, not for the sort of cant which distinguishes the age, but for what the letters of an eminent churchman might be expected to contain—some indication of a sense of duty towards God or man. Far be it from us to visit upon any author, as heavy offences, erroneous opinions hastily taken up and inconsiderately uttered; words written in heat or haste; and sentences expressed in stronger language than the matter may require, or the occasion justify. Such faults are venial indeed, where a just intention is apparent, and an honest mind: but here the intention is to disparage one who suffered for the sincerity with which he endeavoured to support the Church of England—to heap obloquy upon the victim of a wicked and bloodthirsty faction—to take away the honour due to one who, if his actions were fairly represented, would appear to be, as in reality he is, one of the most illustrious and venerable of our martyrs—and to destroy his reputation, as that faction destroyed his life. In vindication of Laud, it would be sufficient to observe, with Hume, 'that his errors were the most excusable of all those which prevailed during that zealous period;' and with Mr. Nichols,* that 'Laud exercised the powers which the constitution then vested in him with more equity and more mildness than any former archbishop; that they who praise the tolerant views of Grotius and the Dutch Arminians at the expense of Laud and his friends, know nothing at all about the matter; and that, if any competent person examine the claims which Oliver Cromwell and Archbishop Laud may have to the title of a patron of religious toleration, whether he considers their respective labours, at home or abroad, he will, without hesitation,

* 'Calvinism and Arminianism compared,' p. 575-793.

and to force them in such a case I can never hold it fit: for such a work will never be mastered by unwilling hands.'

'I am glad you will so soon take order that divine service may be read throughout in the churches, be the company that vouchsafe to come never so few. Let God have his whole service with reverence, and He will quickly send in more to help to perform it. For the holding of two livings, and but two, with cure, since you approve me in substance, I will yield to you in the circumstance of time. Indeed, my lord, I knew it was bad, very bad in Ireland, but that it was so stark naught I did not believe. Six benefices not able to find the minister clothes! In six parishes scarce six to come to church! Good God! stay the time you must, till there be more means and more conformable people.'

'Salutem in Christo.'

'My very good Lord,—After I had sealed my letters, I received one from the Dean of Cashells, with another inclosed from some friend of his, unknown to me. That letter inclosed importunes the Dean very earnestly to get a letter from me to your lordship in the behalf of one Mr. Chadwick, that he may succeed as a baron of the exchequer, in the room of Sir Gerard Lowther. That which moved the dean to send me the letter is not any forwardness of his to meddle in businesses of this nature, but only, as himself expresses it, a fair respect, fearing lest, if he should speed and he seem backward, he and his causes for the church might fare the worse, which made him chuse rather to put me to the denial than himself; and I am very well contented with it. But I, my lord, chuse rather to grant in part, than to deny for all, and out of this reason: the letter which came to the dean, tells him that your lordship hath a very good opinion of Mr. Chadwick, as a fit man for this place; and if he be so, and you think so, then these are so far to second his desires, as they may therein fulfil your own; but I cannot write to you according to all that is desired of me, not so much by the dean, as by him that writes in behalf of Mr. Chadwick, because he desires from me an effectual letter to your lordship for Mr. Chadwick against all competitors. And truly, my lord, I do not use to write so to any friend, when I do know the man and his sufficiency, much less when I know him not; nor am I indeed well pleased when any man writes so to me. Therefore, my lord, all that I'll write is this: if Mr. Chadwick be as fit a man as any other for the king's service and your own, and as able and well set for the church, I think you shall do the poor Dean of Cashells a great deal of favour, if you pitch upon him for this place; and I doubt not but the dean (whom you are now drawing into a more public way) will both deserve it, and make good use of it for the church. But if you have no such opinion of Mr. Chadwick as the letter to the dean pretends, then these letters of mine are not written; and I know you will order the matter so, whoever have the place, that the church businesses shall proceed with favour enough,

wherever

wherever they be just. So I leave you to the great God, and rest your lordship's very loving friend and servant.'

In this same correspondence, where Mr. Hallam could find no sense of religion or justice indicated by Laud, the archbishop, upon whom this calumny is cast, writes thus concerning a dispute between the Primate of Ireland and the visitors of Dublin College, on one part, and the provost with some of the fellows, on the other, which had been referred to his decision: 'One thing there is remaining, which I think very necessary to be done in point of common and indifferent justice, before I give my determination; which is, that a narration of the fact be agreed upon by all parties, that none of these may say that *that* upon which I ground my sentence is mistaken.'

Let us see also what was Strafford's opinion of Laud's sense of duty towards God, as it is expressed in the same correspondence. Without the aid of Laud's 'diligence and instruction,' he says, 'I should neither have had the power nor yet the understanding to have served the church to so good purpose, and in so good a way as now, I trust, is done.'—'Lord, in what several moulds are we cast!' he says, writing to him: 'your Grace can be pleased to welcome a denial when it is fortified with reason. If others were so, friendship would be longer preserved among men; but some, I find, that if all be not done as they desire or fancy, how unfit, how unequal soever it be for others, instantly exchange their wonted respects for deadly hatred.' And again: 'Far be it from me, my Lord, ever to take a difference of opinion offensively from the meanest of my friends, much less, sure, from your Grace, whom, I protest, upon my faith, I reverence more than I do any other subject in the whole world, and to whose judgment I shall sooner lean and trust myself than my own; so as if you be not free with me in that kind upon all occasions, you proceed not with me as with your son, and take from me the glory of that obedience I have set apart for you as my ghostly father.' And again, 'It is alone your goodness and affection that moves you to consider any trouble of mine; which, as I cannot but take most kindly from your Grace, (as what had I ever from you other than as from a father!) so in other respects all things of this life are become wondrous indifferent to me, since I am sure the best of it is past already.'

'I find,' says Laud, in a letter wherein he advises that no public sentence should be passed upon the Earl of Cork, when the property which he had usurped from the church should be recovered; 'I find that, notwithstanding all your great services in Ireland, which are most graciously accepted by the king, you want not them which whisper, and perhaps speak louder when they think they may, against your proceedings

ings in Ireland, as being over full of personal prosecutions against men of quality, and they stick not to instance in St. Albans, the Lord Wilmot, and this earl. And this is somewhat loudly spoken by some on the queen's side. And although I know a great part of this proceeds from your wise and noble proceedings against the Romish party in that kingdom, yet that shall never be made the cause in public, but advantages taken, such as they can, from these and the like particulars, to blast you and your honour, if they be able to do it. I know you have a great deal more resolution in you than to decline any service due to the king, state, or church, for the barking of discontented persons, and God forbid that you should. And yet, my lord, if you could find a way to do all these great services, and decline these storms, I think it would be excellent well thought on. I heartily pray your lordship to pardon me this freedom, which I brought with me into your friendship, and which (though sometimes to my own hurt) I have used with all the friends I have.

Gladly, if our limits allowed, would we here set before the reader those passages in which Strafford has delineated his own character with as masterly a hand as Vandyke displayed in portraying the strong and sedate intellect that manifests itself in what he calls his bent and ill-favoured brow. Yet we must trespass a little upon those limits for three brief extracts, in which the state of his feelings is shown, his sense of public duty, and the clear foresight of his personal danger from the course which he had pursued. The first is in a letter written from Ireland to Sir Edward Stanhope :—

‘ You mention my garden at Woodhouse, and I thank you for the visit. And as prosperous as you conceive his majesty's affairs go here (and indeed unprosperous, I praise God, they have not been hitherto), yet could I possess myself with more satisfaction and repose under that roof, than with all the preferment and powers a crown can communicate with his grace and favour. My mind works fast towards a quiet, and to be discharged of the care and importunity of affairs, which, God knows, force me against my will from many of those more excellent duties I owe his goodness and blessings. Nor can I judge any man so entirely and innocently happy as those that have no necessity of business upon them, but such as they may take or leave as they please, without being accountable for any neglect or success to others.’ The second is addressed to Laud, from his house at Cawthorpe :—

‘ I am gotten hither to a poor house I have, having been this last week almost feasted to death at York. In truth, for any thing I can find, they were not ill pleased to see me. Sure I am it much contented me to be amongst my old acquaintances, which I would not leave for any other affection I have but that which I both profess and owe to the person of his sacred majesty. Lord, with what quietness in myself could I live here in comparison of that noise and labour I meet with elsewhere, and, I protest, put up more crowns in my purse at the year's
end

end too. But we'll let that pass; for I am not like to enjoy that blessed condition upon earth. And therefore my resolution is set to endure and struggle with it so long as this crazy body will bear it, and finally drop into the silent grave, when both all these (which I now could, as I think, innocently delight myself in) and myself are to be forgotten, and fare them well! I persuade myself, *exuto Lepido*, I am able to lay them down very quietly, and yet leave behind me as a truth not to be forgotten, a perfect and full remembrance of my being your Grace's most humbly to be commanded

WENTWORTH.'

The last is from a letter to Laud, in the ensuing year (1638), when evil counsellors were exhorting Charles to commence war for the recovery of the Palatinate:—

'Good my lord, if it be not too late, use your best to divert us from the war, for I foresee nothing in it but distraction to his majesty's affairs, and mighty dangers to us that must be the ministers, albeit not the authors of the counsel. It will necessarily put the king into all the highways possible, else will he not be able to subsist under the charge of it; and, if these fail, the next will be but the sacrificing those that have been the ministers therein. I profess I will readily lay down my life to serve my master; my heart should give him that very freely; but it would something trouble me to find even those that draw and engage him in all these mischiefs, busy themselves in fitting the halter about my neck, and in tying the knot sure that it should not slip, as if they were the persons in the whole world the most innocent of guilt, howbeit in truth as black as hell itself, and on whom alone the punishment ought to lie.'

This is not the only passage in which Strafford expresses a distinct apprehension of his own danger. Both he and Laud perfectly understood the spirit of the times; and when Mr. Hallam says that 'the views of the archbishop were not so much to render the church and crown secure from the attempts of disaffected men, as to gratify a malignant humour by persecuting them,' there is about as much truth in the charitable remark as there is in his assertion, that the correspondence from which we have quoted contains no indication of a sense of duty towards God and man! 'It may be reckoned,' says this most prejudiced writer, 'as a sufficient ground for distrusting any one's attachment to the English constitution, that he reveres the name of the Earl of Strafford.' The inference is to be denied, and the accusation retorted. The writer who in these days vilifies Strafford and calumniates Laud, shows himself an enemy to the altar; and his attachment to the throne may, therefore, justly be called in question. It is but a lame loyalty that stands upon one leg.

The other ground upon which we must touch (though we can but briefly notice it) is the note on *Εικων Βασιλικη*, which Mr. Hallam has appended to his volumes. It is written with a great deal

deal of gratuitous incivility towards Dr. Wordsworth, and, like the book itself, in an arrogant tone, with as much want of judgment as the author has betrayed in his remarks upon the laws of Henry VII., and as much want of fairness as he has been convicted of in the case of Laud's correspondence. To his argument, that Dr. Wordsworth's attempts to depreciate Gauden's character are particularly injudicious, because they tend to render his promotion more surprising on any other ground than his claim as the author of the Icon, the answer is so obvious, that nothing but heat and haste could have made Mr. Hallam himself overlook it. There is very little direct testimony on Gauden's side, (strictly speaking, perhaps, none at all,) except his own; how then it could be particularly injudicious to show that the man was an habitual impostor and liar, it is for Mr. Hallam to explain. It might be supposed, from Mr. Hallam's reasoning on Clarendon's conduct, and the external testimony in favour of Gauden's claim, that those points had not been fully investigated by Dr. Wordsworth, nor ever noticed by him; that he had passed them over because he could discover no satisfactory solution,—just as Mr. Hallam has left unnoticed the illustrations which Dr. Wordsworth has produced, and the clear inductions which he has drawn,—and he has avoided all allusion to the virtual confession in the North papers, that Gauden's own family did not believe his claim! The internal evidence, as far as it relates to taste and feeling, it would be hopeless to discuss with a critic who pronounces Laud's defence to be only tolerable, and can find no sense of religion or justice in his letters; but as relates to the supposed anachronisms, Mr. Hallam has touched with curious infelicity upon what in reality affords one of the strongest possible proofs of authenticity for the books. Unless it were pretended that the chapters of the Icon were all written at the times to which they severally refer; that the seal was then put to them, and that they could undergo no additions, no modifications, no adaptation to changing circumstances ever after, Mr. Hallam's arguments fall to the ground. But this has never been pretended. On the contrary, there is a mass of testimony which shows that the king had the book continually in his hand, revised it much, and had many transcripts of it. But this subject may safely be left to Dr. Wordsworth, who has pledged himself to resume it, if he should be called upon to defend his labours; a task to which, in our judgment, he is called; not for any respect to which his opponents have shown themselves entitled; but for the importance of the book itself, which is, as he has truly called it, an invaluable legacy to the English people; and which his well-directed and well-performed endeavours have gone far towards restoring to 'that place in their affections which it de-

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serves, and those uses of instruction and piety to which it is so admirably calculated to administer.'

This article has already run to a great length; yet, on looking over what we have written, we find it necessary to say something on a topic which we might be censured for entirely passing over. That Mr. Hallam should, with a degree of industry which never remits or tires, have raked in the ashes of long-forgotten, and a thousand times refuted slanders, for the means of heaping obloquy upon the memories of all those who supported the established institutions of the country, during the unsettled period of the seventeenth and eighteenth centuries, was, perhaps, to be expected from his party-zeal, and from the undisguised hostility, or even hatred, which he uniformly evinces towards kings and their adherents, especially where those kings happen to be legitimate, and those adherents ecclesiastics. His insinuations and declamations against the characters of Wentworth, Laud, and other Tories, unsupported, as they generally are, by one particle of evidence, will be set down by every candid reader as merely the malevolent effusions of party spleen, which too often believes every calumny invented to blacken the reputation of an adversary. We should, however, be unjust towards Mr. Hallam, if we countenanced any notion that he had confined his detraction exclusively to the Tory party: on this score, looking to many of the most important chapters of his work, we feel ourselves bound to say, that he seems to have established a claim equally substantial to the gratitude of his own friends—the Whigs. He has taken considerable pains to revive recollections which cannot fail, at least for a time, to depreciate many a revolutionary hero, who had been periodically toasted into party fame. Contenting himself, for want of evidence, we presume, with declamation against the principal Tories who figured at the Revolution, he has contrived to charge their opponents with acts of enormity, of treachery, and of baseness, which it behoves him to be prepared to substantiate by evidence liable to no doubt, and open to no exception.

But we must look a little further back than 1688. He informs us (vol. ii. p. 128) that Cromwell absolutely sold not fewer than fifty English gentlemen, who opposed his government, as slaves at Barbadoes—an act of tyrannical oppression, which, *if true*, we may safely pronounce to be unexampled in the annals of English history. Mr. Hallam evidently believes the fact; and yet, somehow or other, no allusion whatever is made to it in the account which he gives of the Protectorate: the astounding statement oozes out at the fag end of a note, many pages after Oliver had disappeared from the scene. However trifling this circumstance

stance may at first sight appear, it will, we think, tend materially to detract from the confidence which the reader might be disposed to place in Mr. Hallam's ingenuousness. Those who observe the uniform bias which pervades the book, will probably think that this little slip was not altogether without an object: they may probably be induced to suspect that the author designedly suppressed this fact, in his account of the transactions under Cromwell, and placed it, in small type, at the foot of one of his subsequent pages, with the hope that it might, in consequence, attract less attention. If a legitimate king had imprisoned for the brief space of an hour—had touched but one hair of the head of one of the fifty gentlemen whom Cromwell is stated to have sold for slaves at Barbadoes, how many pages of eloquent declamation would have been poured forth upon his memory! and all Mr. Hallam's readers, we apprehend, would have fully sympathized in his virtuous indignation. It cannot, therefore, but appear somewhat strange that, on this occasion, his constitutional abhorrence of the unauthorized enormities of power should have slept so profoundly, that, in his summing up of the Protector's character, we are gravely assured, 'he was quick in passion, but he was not vindictive.' In a subsequent edition of his book, Mr. Hallam will, perhaps, inform us what degree of atrocity he considers as satisfactory evidence of a vindictive character. Until he condescends to enlighten his readers on that point, they will probably continue to regard the sale of 'fifty gentlemen, for slaves at Barbadoes,' as no trivial proof of such a disposition.

But, although we have neither space nor inclination to stand forward as the compurgators of the Protector's character, we owe it to historical impartiality, to confess that we disbelieve the atrocity here imputed to Cromwell: we are really inclined to suspect that a lamentable predisposition to look with an uncharitable eye upon every character that has any pretensions to greatness, has in this, as in other instances, betrayed a grave historian into the adoption of a mere party calumny. If he will take the pains to investigate this subject somewhat more carefully, (and against the memory of no man should such a dreadful imputation be advanced, without the most rigid scrutiny, and the most conclusive proof,) he will probably discover, that what the pamphleteers of the time represented as 'the sale of fifty gentlemen for slaves at Barbadoes,' was, in truth, the banishment of fifty gentlemen who opposed Cromwell's government, and to whom Barbadoes was assigned as a residence during the period of their exile—an act sufficiently tyrannical and unjust, but very different in enormity from selling them as slaves. Had the author of the Constitutional
History

History pursued his inquiries with a more indulgent disposition towards the actions of public men, he must himself have made this discovery, in the progress of his research; and he would thus have escaped the glaring inconsistency of representing Cromwell as 'not vindictive,' and at the same time fastening upon his memory the foul stain of having sold fifty English gentlemen into bondage.

The gross and acknowledged corruption of the whig party, during the twenty years immediately preceding the Revolution in 1688, puts Mr. Hallam's ingenuity, in special pleading, to a cruel test. He does not, it is true, venture to deny that Littleton, Hampden, Sacheverell, Foley, Algernon Sidney, Hollis, or even Russell, acted in concert with, if not at the direct instigation of the French court. He distinctly admits, that of this patriot band, the greater number were in the regular pay of Louis XIV.; but having admitted that they held treasonable correspondence with the known enemy of their country, and accepted bribes as the rewards of their treachery, he invents a new and convenient scale of morals, which converts these base gratuities into 'trifling presents,' received by them for acting in conformity to their principles. Haunted by some misgivings that this apology might appear more ingenious than satisfactory, 'Mr. Hallam's candour' induces him 'to resort to an hypothesis which seems tenable, that they agree among themselves not to run the chance of offending Louis, or exciting his distrust by refusing his money.'—(vol. ii., p. 274.) This novel view of their motives will, we should think, considerably enhance the veneration in which the patriots of the revolution have been hitherto held by their admirers. History cannot, we apprehend, furnish an instance of equal disinterestedness. On the one side we have Louis XIV. forcing his money upon the reluctant patriots; and on the other, these admirable men unwillingly consenting to seem—*only to seem*—venal and corrupt, in order to promote the welfare of their country! Mr. Hallam, however, will find himself egregiously mistaken, if he really entertained the belief that such inconsistencies could impose upon the understanding of mankind. For ourselves, we declare that, although we entertain no violent partiality for the party whose conduct finds its apologist in Mr. Hallam, still if we must believe, upon Barillon's authority, that Sidney, Littleton, and a few of the other more respectable names among the whigs of that period, received money from the French ambassador, we must also believe that they received it for the use of their inferior partisans and retainers. This is the view of the subject which is taken by Lord John Russell. His lordship's mind revolts from the supposition

position that Sidney could have appropriated to his own use the base wages of corruption. Mr. Hallam admits the fact, and defends it! If we must make our election, we had rather participate in his lordship's incredulity, than acquiesce in the special pleas of the constitutional historian. Lord John Russell's apology will at least appear delicate to those whom it may not satisfy. Of Mr. Hallam's defences, one is too absurd to command attention, and the other is bottomed in the coarse and somewhat doubtful maxim—that the acceptance of a bribe is venial, provided the receiver of it act in conformity to his principles.—So much for Mr. Hallam's occasional cruelties to his own party. To reconcile them with the general tone and complexion of the performance in which they occur is no business of ours.

The work before us proves, indeed, beyond any instance we have ever before met with, how completely the prejudices of party can steel the heart of a highly-gifted and highly-educated man against the gentle and graceful emotions of pity and generosity. On no occasion does the writer show the slightest symptom of being softened by the sufferings of the unfortunate house of Stuart, or of their many devoted and generous adherents. He assails the memory of Charles I., of Wentworth, and of Laud, with a degree of cold malignity, which, we think, would have shocked even the contemporaries who, from personal animosity, pursued their lives. But when he comes to the reign of William III., his sensibility seems to be suddenly excited; and upon the character of a prince, probably the least amiable and attractive in English history, he bestows that generous sympathy which he had hitherto carefully locked up in his own breast. He informs us, that 'a high regard for the memory of William III. may be justly reckoned one of the tests by which genuine whiggism has been always recognised.' Mr. Hallam is, we trust, unjust to the Whig party: that they admire the great Anti-catholic revolution (of 1688) is, no doubt, true; but we must have better evidence than Mr. Hallam's assertion before we can consent to believe that an unqualified approval of William's personal character and conduct can be justly described as the test of attachment to any considerable party in this country. We beg leave to remind Mr. Hallam of some transactions in the history of William's reign, which must render it somewhat difficult to account for that Quixotic and unqualified admiration, worthy even of Sir Harcourt Lees himself, which he lavishes upon the 'glorious memory.' We shall take our details, not from 'the malignant calumnies of the opposite party, which,' we are told, 'still sully the stream of history;' but from the admissions of Mr. Hallam himself, or from the unquestioned relations of Dalrymple and Carstairs, who enjoy, we believe, the
reputation

reputation of being 'good men and true,' among the Whig party. Mr. Hallam admits that 'in no period of time under the Stuarts were public discontent and opposition of parliament more prominent than in the reign of William III.; and that high-souled prince enjoyed far less of his subject's affection than Charles II.'

We should have supposed that his own inquiries would have supplied him with cogent reasons for the dislike which the bulk of the nation entertained for his hero. Every man at all acquainted with the transactions of that distracted period well knows that the Prince of Orange came to this country under a suspicion of having abetted the rash and fatal expedition of the Duke of Monmouth, in the hope of getting rid of a rival, whose popularity might otherwise have stood in the way of his personal ambition. In every generous mind a natural and laudable prejudice existed against one who had risen by the misfortunes of his father-in-law. Placed on the throne, his demeanor was always cold, and sometimes harsh; he kept himself aloof from his English subjects, at Hampton Court, which gratified his taste by reminding him of the beloved swamps and marshes of his native country; and there he surrounded himself by a few foreign favourites. He shut himself up all day; his closet was almost inaccessible; the few whom he received to an audience were more disgusted at his habitual silence, than if they had been denied admission to his presence. When he dined in public with his Dutch officers and favorites, his English subjects were excluded from his table; the first nobility stood behind him unnoticed, or retired in silence and disgust. Upon these favourites, Bentinck, Keppel, and *Mistress Villiers*, he conferred lavish grants, amounting, altogether, to no less than one million of acres of land, which had been taken away, by forfeiture, from the adherents of King James; and this in breach of an express promise which he had given to parliament, that two-thirds of that property should be sold, in order to liquidate at least a part of the load of debt which then began to accumulate upon the nation. The journals of the House of Commons, under the date of the 10th November, 1792, present us with a deplorable account of the state of trade. Such of the English merchantmen as ventured to sea were taken; the majority, warned by the example, continued at home. It was computed that, in the course of a series of years, fifteen hundred English ships had been taken, valued at three millions sterling. The customs, of course, fell in proportion. In order to make up the defalcation in the revenue of the crown, occasioned by this diminution of the customs and by the indiscreet grants of the forfeited property made by the king, it became

became necessary to levy a tax of no less than twenty per cent. upon the property of his English subjects ; and to replenish the royal coffers, exhausted by his profusion, Mr. Hallam's ' high-souled prince ' actually stooped to accept a *secret bribe* of ten thousand pounds from the East India Company, for the renewal of their charter.

While the public groaned under these exactions, parliament passed a bill, reducing the army to ten thousand men, at the peace of Ryswick ; to this, after some demur, the king gave his assent, but, on going abroad shortly afterwards, he, without the knowledge of his ministers, left behind him sealed orders that sixteen thousand men should be kept up ; and these orders of the ' nation's chosen sovereign ' his Whig ministers most constitutionally obeyed.

But these offences, however they may detract from that foolish admiration which is claimed for this prince and his ministers, on the score of their regard for the liberties of the people, sink into utter insignificance when we come to the details of two transactions, which have imprinted upon the memory of William III., both as a monarch and a man, a stain, which no lapse of time can ever efface, nor any sophistry, however ingenious, effectually gild over :—we allude to the judicial murder of Sir John Fenwick, and the massacre of Glenco.

The attainder and execution of this unfortunate officer present an instance of political atrocity, perpetrated by a party, and sanctioned by a sovereign, under the form of law, which equals, if it does not surpass, the death of Lord Stafford. Our readers well know that a plan for invading England was concerted by the exiled king in 1695, and countenanced by a great number of noblemen and gentlemen, among whom was Major-General Sir John Fenwick. A proclamation was issued to seize him, among others, as accessory to the intended invasion : he succeeded, however, in making his escape ; but returning to this country, he was taken. In order to save his life, he sent to the Duke of Devonshire, to be transmitted by him to the king, a written list of many subjects of distinction who corresponded with King James ; among whom he mentioned particularly the Lords Shrewsbury, Godolphin, Marlborough, and Admiral Russell. That these parties did actually carry on intrigues with James II. is not now a matter of doubt, and there is every ground to think that William believed Fenwick's charges, from information derived from other quarters.

There was only one witness against Fenwick, and therefore he could not regularly have been convicted in a court of law, which required the evidence of two persons in cases of treason. But
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the persons whom he had accused, believing they could not be safe as long as he lived, resolved to have recourse to the discretionary power of parliament, for the destruction of their victim : in the pursuit of this bloody vengeance they were warmly supported by the whole of the Whig party : Admiral Russell, who had regularly betrayed every party that had confided in him, laid Fenwick's confession before the House of Commons, under the pretence of clearing his own character, but in reality with the view of making it the foundation of a bill of attainder. A base witness, named Porter, was prevailed upon to hide persons behind a curtain, to overhear and prove an offer of Lady Mary Fenwick, sister to the Earl of Carlisle, to bribe him to suppress his evidence, by retiring to foreign parts. And this attempt of a wife to save her husband's life from danger was construed into a proof of the husband's guilt. The examination of one Goodman, who had absconded, was permitted to be read in evidence against the accused, although the law required the witness himself to be confronted with the prisoner, and to be seen and examined in court. And the mere circumstance of Goodman's absconding, though it was not proved by whose persuasion he did so, was the ground of inferring Fenwick's guilt. Evidence was also transferred from the record of former guilt, and made a part of the charge against the prisoner. The accusation which he brought against those who intrigued with James, and which is now known to have been, in all points, true, was made a criminal charge against himself : it was alleged that ' he meant, by false and scandalous informations, to undermine the government, and create jealousies between the king and his subjects !'

In vain did Fenwick's counsel urge in his behalf ' the danger of a precedent, which employed the whole force of parliament to take away the life of a man whom the laws of his country could not condemn :' nothing but his blood could allay the rage of his Whig pursuers. After a long and well-contested opposition, the bill passed the Commons by a vote of one hundred and eighty-nine to one hundred and fifty-six ; and the other House, by a majority of only seven. The deliverer, who, we are told by Mr. Hallam, came to rescue the nation from the irregular proceedings which had too frequently disgraced the English courts of law before the Revolution, gave his assent to the bill when passed, and signed the warrant for Fenwick's execution ; nay, his personal feeling against the prisoner is said to have been so strong, in consequence of some reflections which General Fenwick had made upon his conduct in an action in Flanders, that his majesty, according to all but universal belief, condescended to solicit, during the progress of the bill through the Houses of
Parliament,

Parliament, members to vote for the condemnation of the prisoner. This statement *may* be false; but, however that may be, Mr. Hallam must, we think, admit, that it will ever form a serious drawback from William's reputation, that he did not resist, instead of abetting, the virulence of parliamentary faction upon this occasion.

The massacre of Glenco reflects still darker discredit upon the memory of William III. This atrocity has been succinctly and correctly described by Macpherson:—

‘An action of unexampled barbarity disgraced, in Scotland, the government of William, in the commencement of the year 1692. In the preceding August, in consequence of the pacification with the Highlanders, a proclamation of indemnity had been issued to such insurgents as should take the oaths to the king and queen on or before the last day of December. The chiefs of the few tribes who had been in arms for James complied, soon after, with the proclamation, except Macdonald, of Glenco; and even he failed in submitting within the limited time more from accident than design. In the end of December he came to Colonel Hill, who commanded the garrison in Fort William, to take the oaths of allegiance to the government. Hill having furnished Macdonald with a letter to Sir Colin Campbell, sheriff of the county of Argyle, directed him to repair immediately to Inverary, to make his submission in a legal manner before that magistrate. The way to Inverary lay across almost impassable mountains. The season was extremely rigorous, and the whole country covered with a deep snow. So eager, however, was Macdonald to take the oaths before the limited time should expire, that though the road lay within half a mile of his own house, he would not stop to visit his family. After various obstructions, he arrived at Inverary. The time was elapsed. The sheriff hesitated to receive his submission; but Macdonald prevailed over his scruples with importunities, and even with tears.

‘Sir John Dalrymple, afterwards Earl of Stair, a man of profligate principles, attended King William, as secretary of state for Scotland. He took advantage of Macdonald's neglecting to take the oaths within the time prescribed. He procured from the king a warrant of military execution against him and his whole tribe. As a mark of his own eagerness, or to save Dalrymple, William signed the warrant, both above and below, with his own hand. The secretary, in letters expressive of a brutal ferocity of mind, urged the military officers who commanded in the Highlands, to execute their orders with the utmost rigour. Campbell, of Glenlyon, a captain in the Earl of Argyle's regiment, and two subalterns, were ordered, with one hundred and twenty men, to repair to Glenco on the 1st of February. Campbell being uncle to young Macdonald's wife, was received by the father with friendship and hospitality. The men were treated in the houses of his tenants with free quarters and kind entertainment. Till the 18th of February the troops lived in good humour and familiarity with

the people. The officers on the very night of the massacre passed the evening, and played at cards, in Macdonald's house. In the night, Lieutenant Lindsay, with a party of soldiers, called in a friendly manner at his door. He was instantly admitted. Macdonald, as he was rising from his bed to receive his guest, was shot dead behind his back with two bullets. His wife had already put on her clothes, but she was stripped naked by the soldiers, who tore the rings off her fingers with their teeth.

'The slaughter now became general. To prevent the pity of the soldiers to their hosts, their quarters had been changed the night before. Neither age nor infirmity was spared. Some women, in defending their children, were killed. Boys imploring mercy were shot by officers on whose knees they hung. In one place, nine persons, as they sat enjoying themselves at table, were shot dead by the soldiers. The assassins are even said to have made a sport of death. At Inveriggen, in Campbell's own quarters, nine men were first bound by the soldiers, then shot at intervals, one by one. Near forty persons were massacred by the troops. Several, who fled to the mountains, perished by famine and the inclemency of the season. Those who escaped owed their lives to a tempestuous night. Lieutenant-Colonel Hamilton, who had the charge of the execution from Dalrymple, was on his march with four hundred men, to occupy all the passes which led from the valley of Glenco. He was obliged to stop by the severity of the weather, which proved the safety of the unfortunate tribe. He entered the valley the next day. He laid all the houses in ashes, and carried away all the cattle and spoil, which were divided among the officers and soldiers.'

All Europe, as well as Britain, was shocked at the particulars of this impolitic, as well as inhuman and barbarous, massacre. The rigour of the warrant, the circumstances of its execution, the mask of friendship under which an unsuspecting and unarmed people were butchered by soldiers, could scarcely be exaggerated by the enemies of William, or extenuated by his friends. Various excuses have been offered for the king's conduct on this memorable occasion. It is alleged that he was deceived and betrayed by his minister: but to this it is a sufficient reply, that he trusted, employed, and rewarded that minister afterwards. It has also been contended, that from his slow habits of transacting business he had signed the warrant among other papers without inquiry: but in answer to this it must be stated, that the warrant for the massacre of Glenco, instead of being signed by the king, and countersigned in the usual form by his minister, was both signed and countersigned by William himself. This appears to furnish conclusive evidence that he deliberately took upon himself the responsibility of an action which his minister, from prudence, or some other cause, declined officially to sanction. The clamour excited by this

this atrocity was so loud, that the king and his friends became alarmed. With the view of breaking its force, William was, therefore, advised to appoint commissioners to inquire into the particulars. The inquiry answered the purpose of its projectors by occasioning delay; the intensity of public feeling gradually relaxed; and when at length the report of the commissioners confirmed, in every particular, the dreadful story detailed by Macpherson, great care was taken to throw the blame upon Dalrymple and the inferior actors in the tragedy. The king, however, had now recovered from the alarm into which he had been thrown by the first burst of British feeling; the report of the commissioners was quietly suppressed; Dalrymple was rewarded with new proofs of his master's favour; and the most prominent and active among the military executioners of the unarmed and defenceless inhabitants of that unhappy glen were not only protected, but promoted.

Every candid reader will, we think, admit that the prejudices which have hitherto existed, and which we venture to predict will ever continue to exist in this country against king William's memory, do not spring from the calumnies with which his political opponents are alleged to have 'sullied the stream of history,' but from those innate principles which impel every Englishman to despise ungenerous duplicity, and abhor cruelty.

But we must conclude. To pursue this Constitutional History through all its misrepresentations, and the whole sophistry of its special pleading, would require a work of equal bulk. Enough has been done to exhibit its design and character; *ex pede*;—Mr. Hallam is no Hercules,—and the foot is a cloven one.

It is not necessary for us to dwell upon the hostility to the principle of hereditary succession, which is, on every occasion, displayed by this historian; nor to adduce further proofs of the ill-will with which he regards the ecclesiastical part of our constitution; and which he manifests with so much animosity, and so little prudence, that he must have calculated very largely upon the malevolence and the ignorance of his readers. Nor need we bring forward more examples of the disposition which seems to delight in detracting from the Good and the Great; nor of opinions which tend to the subversion of all legitimate authority, and which in their consequences would place all government upon Hobbes's foundation, leaving it no other support than military force. The disagreeable temper of the book would alone subtract much from the pleasure to be derived from the general ability which it displays, and the even tenour of its plain, strong, perspicuous style. Well, indeed, would it be if the spirit were as English as the language: well, even, if want of generosity, want of candour, and want of feeling

were its worst faults. But in no English writer who makes the slightest pretensions to morality and religion, have we seen the abominable doctrine so openly maintained, that the end justifies the means, and that conspiracy, treason, and rebellion, are to be treated as questions of expediency, laudable if they succeed, and only imprudent if they are undertaken without a sufficient likelihood of success!—

‘Unto thee,

Let thine own times like an old story be,’

is the advice which Donne gives to him who would derive wisdom from the course of passing events. A writer of contemporary history could take no better motto. Mr. Hallam has proceeded upon a system precisely the reverse of this; and carried into the history of the past, not merely the maxims of his own age, as infallible laws by which all former actions are to be tried, but the spirit and the feeling of the party to which he has attached himself, its acrimony and its arrogance, its injustice and its ill-temper.

ART. VIII.—1. *Personal Narrative of Travels in the United States and Canada, in 1826, illustrated by plates, with Remarks on the Present State of the American Navy.* By Lieutenant the Honourable Fred. Fitzgerald de Roos, Royal Navy. London. 1827. 8vo.

2. *North America and the United States as they are.* London. 8vo. 1827.

THE Honourable Frederick Fitzgerald de Roos is evidently a very young man, and, of course, but little experienced as a writer; yet we are willing to hail his modest volume as a pledge for something of a higher cast when next he sends to press the result of any of his peregrinations. Some of our fastidious brethren, we understand, have been rather hard upon him for publishing a book at all, from such slender materials as, they say, could by possibility be collected in the course of a month's tour, of which month a whole week was passed on the sea; but if the book itself be good, and found to convey facts not known before, or to correct what was but imperfectly known, we ought, in common courtesy, to look at the shortness of time in no other light than as a proof of the activity and industry of the traveller—more particularly as we are not aware that any of his statements have been refuted.

In the super-abundance of English travellers through the United States, such as the Fowlers, the Fearons, and the Fauxes, whose

whose observations and statements, though meant to be complimentary, leave an impression which is anything but favourable to the general aspect of the country itself, or to its inhabitants, we are still in want of a clear, expanded, and intelligent view of this great and growing republic from the pen of a *gentleman*—of one capable of examining into the character of men and things, with an enlightened and unprejudiced mind. We had hoped that this *hiatus* would be filled up by some one of the four gentlemen* of rank and admitted talent, who some two years ago crossed the Atlantic, and traversed the greater part of the United States, for the express purpose, as we have understood, of satisfying themselves on the spot, as to the manners and character of the people; their civil, religious, and moral institutions; the state and resources of the country; the internal improvements by canals and roads; the state of the navy; the national feeling towards this country, which has generally been considered as any thing but friendly; and, in short, on all such matters as could interest the moralist, the philosopher, the political economist, and the statesman.

The want which we have been lamenting is certainly not supplied by Mr. de Roos; but we have the best-founded hope that it soon will be by that intelligent and scientific naval officer, shrewd observer, and very pleasing writer, Captain Basil Hall, who, we understand, proceeded some time ago into the United States, for the purpose, as the black man said of Captain Tuckey, 'to take walk, and make book;'—and a good book, we do not hesitate to say, he will make on his return. We have only to wish that the flattering reception, which it is said he has everywhere met with in that country, and the extraordinary manner in which he has been *fêted*, may not have had an influence (and what amiable man is unlikely to be influenced by kind attentions?) in causing our agreeable captain to see things *couleur de rose*. In the meantime, we shall endeavour to supply a few sketches of detached subjects, relating chiefly to points on which neither Mr. de Roos nor the anonymous gentleman who professes to delineate 'North America and the United States as they are,' have afforded us much information.

With regard to the author of the latter work, we collect, from his peculiar idiom, and certain hints which he has dropped, that he is one of those Germans whose ancestors emigrated, in great numbers, from the Palatinate in 1710, and frequently in large bodies subsequent to that period; who, in

* The Honourable Mr. Stanley, the Honourable Mr. Wortley, Mr. Denison, and Mr. Labouchere.

fact, still form, as it were, a distinct race, more particularly in Pennsylvania; and who are thus described by their countryman:—

‘The majority of these honest people, though living amongst Anglo-Americans, for the second and third generation, can neither read nor write the English language. Passive under a kind of self-satisfied ignorance which never consents to learn more than their forefathers, and adhering to their axiom, never to become Irish (thus they designate the Anglo-Americans who take the revenge by nicknaming them the Dutch), they are contented with their own German idiom. This they know sufficiently to enable them to spell one chapter of the Bible on a Sabbath-day: this book and the Baltimore Almanac constitute their library. If any of them take in a newspaper, it is a German one. These German productions are the poorest things imaginable; the style, the diction, the printing, the paper, are all beneath censure.’—pp. 94, 95.

We must premise that this German work abounds in personality, and is, for the most part, offensively personal to those who hold or have lately held, offices of state; and though the author knows something of America, we pay very little deference to any of his statements or opinions.

The United States of North America, looking at them ‘as they are,’ may be considered as a prodigy, to which we should in vain seek for any parallel in the history of nations—an infant in years, a giant in size and strength, and in intellect an adult: yet this precocious adolescence is neither unnatural, nor even difficult to be accounted for. The people who first conceived the idea of plantations in North America were Englishmen, of the highest and most enlightened characters, whose adventurous companions, under the fostering care of an anxious parent, after the disasters of a few years, rose suddenly, like the dragon’s teeth sown by Cadmus, into full-grown men; not however armed, like these, with weapons for their own destruction, but with the strength, vigour, and intelligence of the parent state. Such a race of men were well calculated to overcome all difficulties; and many and serious were the difficulties they had to conquer, before they obtained, from the rightful owners, possession of a country, equal, in many respects, and superior in some, to that which sent them forth. What they now are, let Mr. President Adams tell:—

‘Since the period of thirty-six years (the date of the first census), a population of four millions has multiplied to twelve; a territory bounded by the Mississippi, has been extended from sea to sea; new States have been admitted to the Union, in numbers nearly equal to those of the first Confederation; Treaties of Peace, Amity, and Commerce, have been concluded with the principal Dominions of the Earth; the people of other Nations, inhabitants of regions acquired, not by conquest, but by compact, have been united with us in the participation of our rights
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and duties, of our burdens and blessings; the forest has fallen by the axe of our woodsmen; the soil has been made to teem by the tillage of our farmers; our commerce has whitened every ocean; the dominion of man over physical nature has been extended by the invention of our artists; Liberty and Law have marched hand in hand; all the purposes of human association have been accomplished as effectively, as under any other Government on the globe; and at a cost little exceeding, in a whole generation, the expenditure of other Nations in a single year.'—*Inaugural address*, 1825.

This picture will, perhaps, be thought a little too high coloured, when examined soberly, and somewhat more in detail—as we mean to consider it; and first, with regard to the country itself. It extends along a line of sea-coast on the eastern side of the Alleghany mountains, the part first occupied, from the parallel of 24° 20' N. to 49° N., and reaches in longitude from 67° W. to 135° West; but its western boundary on the Pacific is contracted to a few degrees of latitude, lying between the Mexican territory and our possessions, to a considerable part of the latter of which the Americans are pleased to set up a *claim*,—a claim, not likely, however, to be soon admitted.

Taking the extent of territory comprehended within the united provinces and their dependencies, as stated by the Americans themselves, it is in mean length 2500 and in mean breadth 830 miles, constituting an area of 2,076,416 square miles, or 1,328,896,000 acres; or, to compare it with an object of the same kind, more generally known, it is equal in surface nearly to all Europe. The natural features of this stupendous territory are on a scale of corresponding grandeur. Immense plains skirted by interminable forests—mountains surpassed only on the sister continent of South America—rivers of the first magnitude stretching their innumerable branches in all directions, imparting luxuriant verdure to the valleys through which they flow—lakes that are, in fact, mighty seas of fresh water—make up the outline of this magnificent country. The soil, of course, is found in every variety of quality, and the extremes of the latitude show that the climate is calculated for the products of the torrid as well as those of the temperate region. That the climate, in many places, is not congenial with the human constitution, can arise only from the uncleared and undrained state of the land in those parts; and such partial evil will necessarily decrease with the increasing density of the population.

For a long time the occupation of this extensive country was limited to the old English colonies lying on this side of the Alleghany mountains, which run north and south, parallel, or nearly so, to the coast of the Atlantic. They consisted of what were

were called at the period of their independence, 'the Thirteen United States,' which, by the addition of Maine and Vermont since that time became fifteen. The number has progressively increased by the admission into the union of nine others to the westward of the Alleghany; namely, Kentucky, Ohio, Tennessee, Indiana, Illinois, Mississippi, Missouri, Alabama, and Louisiana; and to these they have lately annexed the territories of Michigan, Arkansas, and Columbia, which, however, have not yet been incorporated in the federal union.

The increase of population has more than kept pace with the increase of territory. By a census taken in 1790, it was found to be 3,929,326; in 1800, it had increased to 5,305,666; in 1810, to 7,239,903; and in 1820, it had reached 9,638,226: and of these, 1,531,436 were negro slaves; of which 1,145,500 belonged to the five southern provinces. Of the total population in 1820, the date of the last census, the amount in the fifteen old provinces was 7,387,723; in the new ones behind the mountains, 2,250,503. It appears from the same census, that the number of slaves in the whole union is, to the number of free people, nearly as one to six; and further, from the results we have stated of the census taken at intervals of ten years, that the ratio of increase proceeds very regularly at about three per cent. per annum; or, in other words, that the population has been doubling itself in somewhat less than twenty-five years. The Americans reckon, and we think they may fairly do so, that at the commencement of 1827, the population might be stated at eleven millions; and that in the year 1850 it will have amounted to twenty-two millions of souls. It is stated, that the proportion of those employed in agriculture to those employed in manufactures, is as twenty to three, and to those in commerce as twenty-two to one. In the New England states, in Virginia, and the Carolinas, the white population is chiefly, almost purely, British. In Pennsylvania, and the middle states, it is mixed with Germans and Irish; in New York a great part of the blood is Dutch; and in Louisiana the French predominate.

A republican dominion of this extent, to say nothing of the mixed character of those who compose it, is an anomaly in the history of governments; its mere existence being so contrary to all elder experience, its permanency, as an united government, for any great length of time, has become a matter for speculation, and is considered by many as exceedingly doubtful. The confederacy, it is well known, was on the very verge of being dissolved, when, at the conclusion of the late general war, from a generous feeling, and, we must say, an heroic spirit of forgiveness, England held out favourable terms of peace; what England might at that time
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have done most justly, she could have done, with all imaginable ease—namely, crushed the whole fabric of the federal government, already tottering through the disaffection of the eastern states. Ten thousand of the men that had fought at Waterloo would have marched through North America: but the world was already glutted with war; and, instead of pursuing the revenge of past injuries, England had the magnanimity to offer the olive branch to her only remaining and feeble enemy. The consequence to America was, that the government was strengthened, and the remote western provinces more firmly united than they had ever been with the eastern and the southern.

The great improvements that are now in progress may be dated from this event, so honourable to England and so advantageous to America. The new and extensive lines of communication now forming, and in parts completed, by means of roads and canals, have opened an intercourse between the eastern and the western states, which has tended more than anything else to establish close and friendly relations throughout the Union. In every part of this extensive country these kind of improvements are in progress. The state of Virginia is opening a direct intercourse with the Ohio by means of a canal. Another canal is in progress across the isthmus which separates the Delaware from the Chesapeake. Another is nearly completed which will connect the Schuylkill with the Susquehanna. A canal is also projected which is to connect the Delaware with the Hudson, and another to unite the Ohio with the Chesapeake. A grand canal has been undertaken from lake Erie to the Ohio, a distance of three hundred miles, which will open a direct water-communication to the Gulf of Mexico, from the city of New York, by the great western canal between Erie and the Hudson, which is already completed. We deem this last magnificent work deserving of particular notice.

The great western or Erie canal is unquestionably the most important of the many that have been contemplated since the conclusion of the war. It is an undertaking that reflects the highest credit on the enterprising and public spirit of the state of New York, which planned and executed it at its own proper expense; which carried it on not only without the aid, but with every discouragement on the part, of the general government; and which has the merit of having conducted this work under the guidance of native engineers—a work that, in many respects, may vie with the first of a similar description in Europe. This great water-communication, which opens an intercourse between the first commercial city of the republic and lake Erie, over a line of country five hundred and thirteen miles in extent, cannot fail to be a source of
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wealth and prosperity, not only to those who have supported the measure, but to every part of the Union through which it is carried. In fact, the advantage of such a canal had at an early period been so obvious, that the Americans, who, although a cautious, are an adventurous people, could only have been deterred from commencing it long ago by want of capital. Several enlightened citizens, before even the time of Washington, had suggested the advantage of connecting the western country by a water-communication with the Hudson; and Washington himself was strongly impressed with the policy of going still further, and opening a communication by water between the Potomac and the Ohio. He saw the danger that was likely to arise from the spread of the people to the westward, if the republic were left without the means of establishing a close and ready intimacy between those western establishments and the old eastern states: he thought it very likely that the former, from their position, might be disposed to throw themselves, on the one hand, into the arms of the British in Canada, and establish a commercial intercourse which would give them the navigation of the St. Lawrence; or else, on the other hand, form a connexion with Spain, in order to enjoy the free navigation of the Mississippi.

‘When they get strength,’ said this great and good man, ‘which will be sooner than most people conceive, what will be the consequence of their having formed close commercial connexions with both or either of those powers? It needs not, in my opinion, the gift of prophecy to foretell. The western settlers (I speak now from my own observations) stand, as it were, upon a pivot. The touch of a feather would turn them any way. Until the Spaniards (very unwisely, I think) threw difficulties in their way, they looked down the Mississippi, and they looked that way for no other reason than because they could glide gently down the stream, without considering, perhaps, the fatigues of the voyage back again, and the time necessary for its performance, and because they have no other means of coming to us but by a long land transportation through unimproved roads.’

He was aware that the settlers of these states, being mostly foreign emigrants, could only be held by the cement of interest, and in order to establish this, ‘Extend,’ says he, ‘the inland navigation of the eastern waters—connect them as near as possible with those which run westward; open these to the Ohio; open also such as extend from the Ohio towards lake Erie:’—by so doing, he told his countrymen, ‘you will bind those people to us by a chain which can never be broken.’—All that this noble and enlightened mind foresaw is now on the eve of being accomplished.

No country that we are acquainted with, not even China, could be more favourable for carrying into execution a plan of
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this kind than North America. The Alleghany mountains, which separate the great valley of the Mississippi from the eastern glaxis which descends from them to the Atlantic, are sunk nearly to the general level of the country as they approach the lakes Erie and Ontario. By this route, therefore, an easy communication is effected between the valley of the Mississippi and the valley of the St. Lawrence. The waters of all the great lakes are discharged through the latter; but as these lakes occupy the highest summit level of the country, which may here be considered as a great elevated plain, it would seem as if accident alone had determined the point, whether they should drain off their waters through the St. Lawrence to the north-east, or take a course into the Mississippi to the south-west. So nearly, indeed, is this point balanced, that a canoe is said to have actually passed, during an inundation, from the lake Superior into the Mississippi; and the head of the Fox river, which falls into the Michigan, is close to the head of the Oisconsin, which flows into the Mississippi, being separated only by a very short portage. We may, therefore, without impropriety, consider the gulfs of St. Lawrence and Mexico to be connected by nature in one and the same great valley, as they are very soon to be united by art. In fact, a barrier of no great height, thrown across the Niagara river about Buffalo, would turn the waters of the lakes into the Mississippi, leaving only the Ontario to supply the upper part of the St. Lawrence.

Washington, as we have observed, saw the facilities which such a country offered for effecting a water-communication by artificial canals. Yet, with so obvious and advantageous a measure before their eyes, the Americans suffered year after year to pass away, before any attempt was made thus to connect the Eastern and Western states, notwithstanding the growing importance of the latter. In 1817, indeed, the people of New York commenced the grand Western canal, under the most favourable auspices; yet, two years afterwards, when a considerable portion of it was completed, a large minority of the house of assembly voted against any further appropriation of money; and, by way of throwing ridicule on the undertaking, its opponents nick-named it 'the big ditch.'

The Erie or Western canal may be said to commence at Buffalo, close to the lake, and to terminate with the Hudson, at Albany, one hundred and fifty miles to the northward of New York, the whole length of the canal being three hundred and sixty-three miles. The difference of the levels, between Erie and the Hudson, is five hundred and sixty-four feet. From Erie to the Seneca river is a descent of one hundred and ninety-four feet, in which are
twenty-five

twenty-five locks; from thence to *Rome*, it rises forty-eight feet, in which are six locks; and from thence to the Hudson, the descent is four hundred and thirteen feet, requiring forty-six locks—the rise and fall being altogether six hundred and fifty-five feet, in which there are seventy-seven locks. The canal is forty feet wide on the surface, twenty-eight feet at the bottom, and four feet deep.

The difficulties they had to overcome were not inconsiderable. Between Schenectady and Albany, the canal twice crosses the Mohawk river in aqueducts of more than eighteen hundred feet in extent. Near this place, it is carried on a ledge cut out along the side of perpendicular rocks, twenty and thirty feet above the base. It crosses the Genessee river by an aqueduct of ten arches of hewn stone, exceeding two hundred and two feet. An embankment across the Ironduquet carries the canal for more than a quarter of a mile, on a mound of earth seventy feet high. A rocky ridge, near the western extremity, (the last vestige of the Alleghany mountains,) has been cut down, for seven miles, to the average depth of twenty-five feet, three miles of which are through hard, solid rock. Fortunately, there runs along the middle section, or summit level, an uninterrupted plain of sixty-nine miles and a half; and another level, on the western section, of sixty-three miles, required not a single lock. At Albany, the canal terminates in a basin, formed by extending a pier into the Hudson, which runs parallel to the shore three-quarters of a mile, and is seventy-six feet in width on the top; the harbour, which is thus enclosed, is about thirty-two acres in extent. The cost of this magnificent work, with its locks, aqueducts, culverts, bridges, deep cuttings, and embankments—together with about eighteen miles of canal branching off to lake Champlain, and the works necessary for the improvement of the navigation of the upper part of the Hudson—amounted to about ten millions of dollars; and the whole was completed within the space of eight years. The tolls in the first year are said to have amounted to five hundred thousand dollars, collected from ten thousand boats which passed the locks, which is at the rate of about forty a day for two hundred and fifty days, the supposed average time that the canal will be free from ice. It is calculated that one hundred and twenty-four boats are as many as can be passed through the locks in twenty-four hours; and as no doubt is entertained that this number will pass, the estimated revenue is from one and a half to two millions of dollars annually.

The first vessel that arrived at New York, by this canal, is mentioned by Mr. Cadwallader Colden, the writer of a memoir on the celebration of the opening of this great work, 'as an interesting

interesting evidence of the ingenuity and enterprize of his countrymen. Her timbers,' he says, 'grew near where she was built; her proprietors were her architects; her cargo was the produce of the fields from whence she sprung; and she was navigated by those who cultivated them; her sails and rigging even were emphatically domestic manufactures, for they were grown and made at the homes of her owners.' On this day of celebration, among the numerous exhibitions got up for the occasion, was one that was calculated to tell—it was announced that a vessel would arrive, called 'Noah's Ark,' from the yet unbuilt city of Ararat, which is to arise on an island near the western termination of the canal. She was to bring specimens of all manner of living things to be found in the forests that surround the falls of the Niagara. She did, in fact, arrive, having on board a bear, two eagles, two fawns, with a variety of other quadrupeds, birds, and fishes, not forgetting a couple of Indian boys in their proper dresses. Nothing that we have ever heard of could exceed the enthusiasm of the people on the festivity of the opening of this great work, which these honest republicans really believed to be, what poor simple Gil Blas was persuaded on a memorable occasion to believe himself—the 'eighth wonder of the world.' Processions of the mayor and corporation, of learned societies, of the clergy, the trades, and professions; of steam-boats and flotillas; the firing of cannon along the whole line from Erie to the Hudson; dinners, balls, and suppers, occupied all ranks and degrees, from New York to Buffalo, a distance of five hundred and thirteen miles.

But the grand *coup de theatre* was an exhibition, got up by Professor Mitchell, as the officiating 'priest,' to marry the waters of the lakes with those of the ocean, and to pronounce an epithalamium he had composed in prospect of this happy union. Not satisfied with emptying a keg of Lake Erie water into the Hudson, the doctor, we are told, had procured (by what means is not stated) a bottle 'of the pure waters of the Elbe, the sacred waters of the Ganges, the overflowings of the Nile, the waters of the Amazon, the Oronoca, the La Plata, of Columbia river, of the Thames, the Seine, the Neva, the Tagus, and from every quarter of the globe.' The nuptials being celebrated, and the polygamous Hudson having received the embraces of his numerous brides, some of which must have long been corked up, the doctor proceeded in his oration, which exhibits a specimen of as bad taste as we ever recollect to have met with:—

'In performing these acts of the day, (says he,) there is another occurrence too memorable to be omitted. As in the celebration of religious rites, the water, in the hands of pious and qualified ministers

of the altar, becomes consecrate and holy; so, the several portions of aqueous element employed in these ceremonies have become renovate and republican. Strange as it may seem, the operation has not ended here; the virtue infused with them has spread from this spot by a combination of mechanical impulse, chemical attraction, and diffusive propagation, through the whole mass of waters, with an electrical rapidity and a magnetical subtlety, that authorizes me to pronounce the *circumfluent ocean republicanized!*—*Colden's Memoir.*

After this, the Doctor becomes so sublime and incomprehensible—talks in so learned a strain of the ‘recently-imparted influence, co-operating with its phosphorescence to render it luminous,’ with ‘its salinity to continue it wholesome,’ &c. &c.—that we fear we should but little edify or amuse our readers by transcribing more of the performance.

After all, this theatrical display of nonsense, in the celebration of the completion of so grand a work, may readily be pardoned. It is the first in this young nation on so magnificent a scale, but it will, certainly, not be the last. It has opened a prodigious length of internal navigation. From New York to Buffalo is 513 miles; from hence to the mouth of the Mississippi, in the gulf of Mexico, at least twelve hundred miles; from the same spot to the head of Lake Superior upwards of one thousand miles, and from thence, with the interruption only of a few portages, the water-communication extends to the Arctic sea. ‘Had Captain Franklin,’ says Mr. Cadwallader Colden, ‘commenced his expedition so as to have arrived here a few months later than he did, he would have found that he could have been transported from London five thousand miles towards his destination, without being obliged to set his foot on land.’ This is not all: by means of the canal which is now executing between Erie and the Ohio, there will be an uninterrupted line of internal navigation from the city of New York, by the Hudson, the Erie canal, the Lake Erie, the Ohio canal, the Ohio river, the Mississippi, to the gulf of Mexico. Then again, from the Mississippi, by the Missouri and the Jefferson (one of its branches), a water-conveyance may be carried to the foot of the Rocky Mountains, a distance of nearly five thousand miles; on the other side of the ridge, which is here very narrow, by means of the Lewis river (a branch of the Columbian), this internal navigation, with a single portage over the mountains, might be extended to the Pacific. ‘Hence, thus, a person embarking on the Thames,’ says Mr. Colden, ‘by pursuing always a westerly course—with some deviations, to follow the sinuosities of the rivers and canals—might arrive at China, without setting his foot on land, except to cross the Rocky Mountains, over which we shall, in time, if a canal be impracticable;

impracticable, have a turnpike-road.' He should have added, however, that a desert of naked sandstone intervenes between the Mississippi and the base of the Rocky Mountains, over which it might not be quite so easy to carry a canal.

The water-communication opened by the great western canal will raise the prosperity of New York far above that of any state in the Union, and in proportion will depress that of Virginia, which so long held the lead, and out of whose tobacco-hogsheads so many republican sovereigns and senators have sprung. Other states have now discovered that they can grow tobacco as well as Virginia, and her four hundred thousand slaves, nearly the half of her population, are become little better than a dead weight upon her.

The improvement and extension of the public roads are keeping pace with, and are not inferior in utility to, these magnificent exertions in the department of canals. From every great town well-made Macadamized roads branch out in every direction. In Pennsylvania alone it is said that there are not less than two thousand miles of good turnpike-road. In Virginia, they have a regular board of works, which superintends the construction of roads, canals, and bridges. From Baltimore, turnpike-roads lead to every part of the republic; and an iron rail-road is constructing from this city to the Ohio. In short, by means of canals and roads, the internal commerce of the United States has of late years received, and is continuing to receive, facilities which will add to the Union a degree of strength and consistency that could by no other means have been imparted. By means of those facilities, her exports, in the year 1825, the growth, produce, and manufacture of the United States, amounted to 66,944,745 dollars; and those of foreign countries to 32,590,643—making a total of 99,535,388,—a branch of commerce which, in 1814, when the States were at war with England, was reduced to the low ebb of 6,927,441; a degree of diminution which ought to weigh well with the Americans, before they again rush into a war with Great Britain. The American landholders, who are nine-tenths of the nation, have no rents but what they derive from foreign countries; there are no such things among them as farms let out on lease for money-rents: it follows, that where so large a portion of the community is employed in raising the same articles of consumption, such products have scarcely any exchangeable value at home, and any check, therefore, to their export trade, is more severely felt than in an old and full-peopled country. In England, the landholder, for obvious reasons, is a gainer by war.

The minute detail, in which the annual public accounts of
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the United States are stated, is well calculated to afford the community every information as to the most important branches of their export trade. Of the 66,944,745 dollars above-mentioned, it appears that the sea had, by its fisheries, contributed 1,595,065 dollars; the forest, by its skins, furs, timber, naval stores, pot and pearl ashes, 4,938,949; agriculture, in animal and vegetable food, 54,237,751; manufactures, 3,169,115; and uncertain articles not particularly distinguished, 3,003,865 dollars.

The value of the imports, the growth, produce, and manufactures of foreign countries, in the same year, amounted to 96,340,075 dollars; of which, 42,394,812 dollars were imported from Great Britain and its dependencies, being nearly equal in amount to the imports from all other nations of the world. Such a result must be a convincing proof to both nations of the expediency of cultivating and improving amicable relations with each other. Again, the quantity of tonnage employed in the foreign trade of the United States amounted to 880,754 tons entered inwards, all American vessels; and 92,927 tons, foreign vessels, of which latter, 63,036 tons, nearly two-thirds of the whole, were British. The amount of tonnage cleared outwards, all American, was 960,366 tons; and of foreign shipping, 95,080 tons, of which 61,909 tons were British, being two-thirds of the whole,—a further proof of the mutual advantages derivable from an uninterrupted friendly intercourse between the two nations. It is clear, however, that the commerce of America has not increased in the ratio of its population, nor in proportion to the increase of agriculture; for, on looking back, we perceive that in 1800 the shipping of the United States is reported to have been 939,000 tons, the amount of exports 71,000,000 dollars, and the following year above 93,000,000 dollars—which in 1807 rose to 103,000,000, the greatest amount they ever reached. The reason of this is obvious enough: sober-minded men will always employ their capital where there is least risk and most permanent advantage, and in the case of such an unpeopled country as the western states of America, in the purchase of land and the pursuits of agriculture. The multitude of small capitalists that annually emigrate from the eastern states, to the Ohio and Michigan more particularly, is enormous; and it requires some time before they can raise a surplus produce fitted for the foreign market—add to which, the difficulty and expense of transport to a place of shipment has hitherto kept back what little surplus produce may have been raised. Besides, as most other nations manufacture the same kind of produce, and some of them at a cheaper cost than the Americans, there is a maximum beyond which their export trade cannot be carried.

It

It is chiefly owing to this emigration of families from the sea-coast into the interior, that the difficulty is experienced of keeping up the petty peace-establishment of men for the American navy. Mr. de Roos, in his dedication to the Lord High Admiral, tells his royal highness that 'many of the observations which his book contains have reference to the maritime interests of Great Britain and the United States.' After reading this promise, we were somewhat disappointed with the performance of the honourable lieutenant. In truth, it is but little that we have been able to glean from him on these points; and we must, therefore, have recourse to other sources of information, on the important subject of the United States' navy and naval establishments.

It is not for us to decide on the policy of the American government with regard to the increase of its naval force. A few successful contests, always with an inferior force to oppose, and the tumultuous blustering of the democrats, who, in fact, rule the country in turbulent times, were the stimulus to this measure. It will require a long time, however, and an expense which this economical republican government will hardly be permitted to defray, before they can raise and man a force capable of contending with the navy, single-handed, of any of the maritime powers of Europe. Viewing it in its greatest extent, and including ships on the stocks, ready, or nearly ready, for launching, it may at this moment be considered to consist of twelve sail of the line, twelve frigates, nine sloops, and a few barges and other small craft. The ships of the line that have been launched are seven—the Independence, Franklin, Washington, Columbus, Delaware, North Carolina, and Ohio, all rated as seventy-fours, but, with the exception of two or three, pierced, in fact, for ninety-eight guns, forty-two pounders on the lower deck, and sixty-four and thirty-two pounder carronades on the upper deck. The order of Congress for building these ships limited their size to that of seventy-fours: probably because it was apprehended the executive would not have been able to carry the resolution, if it had proposed to build the more expensive ships of one hundred guns—there being, in fact, very considerable opposition to the measure, as it stood. They, therefore, found it expedient to *call* them seventy-fours, though they determined to build them of a much larger class. The other five are on the stocks, nearly ready, but not meant to be launched, being built under sheds: these are the Vermont, the Virginia, the Natchez, the Alabama, and the Pennsylvania, all of them large ships, intended to carry from ninety to a hundred guns, and upwards. Of the twelve frigates, five have been built, and seven are on the stocks. Six of them are rated as forty-fours, but are actually pierced for sixty guns; three are rated

thirty-six, and two of twenty-four guns, but can mount many more. Four of the sloops are eighteens, and five of them twelves.

One of these line-of-battle ships, on the stocks in Philadelphia dockyard, named the *Pennsylvania*, is considered, in point of size and strength, as a prodigy; the Americans call her, so Mr. de Roos says, 'the largest ship in the world.' She is the only three-decker they have. We cannot vouch for her precise dimensions, but the following are not far from the truth:—

Length of the upper-deck	.	.	220 feet.
Length of her keel	.	.	200
Breadth of beam	.	.	59
Her measurement	.	.	3000 tons.

She has a round stern, is pierced for one hundred and forty guns, those on the two lower decks forty-two pounders. This is, unquestionably, an enormous ship; and so was the *Commerce de Marseilles*, which we took at Toulon; and which, though new, and strongly built, broke her back the first slight gale of wind she encountered in our keeping. It is yet to be seen how the *Pennsylvania* will act at sea. There is as little difficulty in building a large as a small ship, but there is also a *maximum* in every thing. A man of six and a half feet high is not unfrequently a well-made, athletic, and active person; but who ever saw a man with these qualities who was seven and a half feet high?

The main question, as far as we are concerned, is, have we in the British navy any ships to meet and match this monster? Our answer is, many; but let us take one—the *Caledonia*. It is true, she is not quite so large, but we are bold enough to say she is, in all respects, as fine and powerful a ship, and, if we mistake not, a better sailer and an easier working ship than the *Pennsylvania* will turn out to be; and we need hardly say, there is not a captain in the British navy that would not, in the event of a contest, be delighted to meet with the *Pennsylvania* while in command of the *Caledonia*. Her dimensions are—

Length of the gun-deck	.	.	205 feet.
Length of the keel	.	.	190
Breadth of beam	.	.	54
Measurement	.	.	2600 tons.

And she is pierced for one hundred and twenty guns, but capable of mounting one hundred and thirty. Besides, we have not only one, but some ten or more *Caledonias*, as may be seen in the published lists of the navy, such as the *Howe*, the *Nelson*, the *St. Vincent*, the *Royal George*, the *St. George*, the *Royal William*, the *Neptune*, the *Waterloo*, the *Prince Regent*; and, as a set-off to the eleven misnamed seventy-fours of the *Americans*, the *Navy List* exhibits at least forty sail of first and second-
rates,

rates, mounting from one hundred and twelve to eighty guns, most of which are more than an equal match to the American line-of-battle ships, under whatever name they may be designated; inasmuch as any number of guns on three decks are a more powerful battery than the same number on two decks, besides the advantage which a lofty ship has in action over a low one.

But then it may be urged that our first and second rates have only thirty-two pounders, whereas all the Americans have forty-two pounders. We have a word to offer on this point. We require not to be told that the heavier the gun and the shot to be fired from it, the greater will be the momentum of the latter, and of course the longer will be its range; but we may be permitted to doubt whether an adequate advantage be gained by the great calibre of these guns, to that which is lost in the inconveniences attending the use of them. In the first place, their enormous weight makes an additional thickness to the decks and sides of the ship necessary; they require more men to work them; great exertion in lifting such heavy shot into the gun, and in training and running it out; a considerable additional expense of powder and shot, and a delay in firing, which we think we do not overstate, when we say, that a thirty-two pounder will fire three rounds, while a forty-two pounder fires only two. If, however, the effect produced by a shot was in proportion to its weight, the objections we have stated might not be considered to weigh against its adoption; but unquestionably it is not. The weights of shot are as the cubes of their diameters, and a thirty-two pounder being about 6.12 inches in diameter, and a forty-two pounder no more than 6.75 in diameter, it follows that the holes made in a ship's side by these two shots will be of the same diameter within six-tenths of an inch; that is to say, the difference, if the shot goes fairly through, will not be perceptible by the eye, scarcely even by measurement.

The difference between a twenty-four and a thirty-two pounder is still less, not exceeding five-tenths of an inch. In fact, the efficiency of shot, in passing through a ship's side, will be in proportion to the squares of their diameters, and not to their weights; and we are, therefore, decidedly of opinion that if the diameter of a thirty-two or forty-two pound shot was increased to eight or ten inches by casting it *hollow*, and fired out of a gun of a proper weight, and at a range not exceeding three or four hundred yards, such a shot would tear a ship's side in pieces. If we mistake not, the French have made some experiments with shot of this kind. The Americans, it has been said, either have cast or conceived a gun which was to be called a Columbiad, (we think that was the name,) of a calibre to throw a solid shot of a hundred pounds weight;


weight; they would do better to preserve the diameter of a hundred pound shot, and reduce the weight, by casting it hollow, to thirty or forty pounds. We have heard also of a project they had of firing this gun, or some other of an enormous calibre, through a port below the line of flotation, so that the shot should pass through the water into the hold of the enemy's ship, and thus sink her, without those engaged at the guns on the decks being conscious of their impending fate. Stratagems like these and their torpedos are unworthy of such nations as England and America.*

The capture of some of our frigates in the course of the late short contest created an unfavourable impression on the public mind. In all former wars with other nations, our single actions had almost invariably terminated in our favour. It was supposed, therefore, very generally—and the disaffected press did all it could to nourish the notion—that our seamen had degenerated, and become unequal to contend with American seamen. The Americans themselves kept up the delusion, by boasting publicly that it was so, but they knew better. The truth is, that *we* had no occasion for uneasiness, nor *they* for boasting. Our good people, however, constantly lectured to despondence by enemies external and internal, were slow to understand that one frigate might be actually inferior to another frigate nominally of the same class; it required time to satisfy them that, in all the actions that took place, the American frigates had not only a greater number of guns, throwing a much greater weight of metal, but that their ships were half as large again as ours, manned with a much greater number of men, and those men all seamen, many of them British seamen, whereas ours were generally short of their established complement of men, which, even when full, was inferior to that of the American frigates; and that this deficient complement was made up of a vast proportion of ordinary seamen, landsmen, and boys. If it be asked why all this was so, the answer is obvious enough:—

* We observe that Mr. Perkins is tampering with the Americans on the destructive effects of his *steam-gun* and leaden bullets, which this country had the good sense to treat with that neglect which they so richly deserve. The opinions which he tells the American people were given in its favour by some of the most distinguished officers in the British navy, as Lord Exmouth and Sir George Cockburn for instance, we fearlessly take upon us to say, were never entertained, much less uttered. Mr. Rush can inform his countrymen with what indifference Sir George Cockburn witnessed an exhibition of this gun, got up by Mr. Perkins on purpose to astonish the foreign ambassadors resident in London. Let the Americans try it if they please, but we sincerely hope, for their own character, that in any future contest they will not sanction those atrocious acts that were committed in the course of last war; such, for instance, as the following. When Sir Thomas Hardy was cruising off New London, a vessel was seen standing alongshore, with a vast display of vegetables on deck. On a boat rowing towards her to make purchases, as our cruisers were wont to do, the crew escaped; she was boarded, and soon afterwards blew up. She had been laden with gunpowder, to which *a slow train* was laid, and five or six innocent men perished by this villainous trick.

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this country was unable to supply the number of seamen that a twenty years' war with all the maritime powers of Europe had been continually drawing from her mercantile navy—which navy, during that time, had, in conjunction with the United States' mercantile shipping, conducted the whole commerce of the world. But our American opponent had no demand to make upon her merchant ships, till she declared war against us, which rash measure nearly annihilated her commerce, and drove her seamen to seek employment in her ships of war. But how did England stand at this crisis?—she had in her navy not less than 145,000 seamen and marines dispersed under one thousand pennants nearly, while the demands for the merchant service were considerably enhanced in consequence of the war with America having thrown an increase of commerce into her hands. There was, therefore, a physical impossibility of manning our ships in the same proportion in which the half-dozen frigates of the enemy were manned. The clamorous boasting of the superiority of American seamen, and the *fanfaronnades* of Mr. Madison, were gross fallacies: there is no superiority of the seamen of one nation over those of the other; they are derived from one common stock, brought up in the same hardy pursuit, and may be considered, to all intents and purposes, the same people, who, when placed under similar circumstances, will equally display the energy, the activity, and the courage, which are the characteristics of British blood. There is, however, a great difference between a well-disciplined ship's company, trained and exercised at the great guns, and another newly appointed and not exercised together at the guns. This was strongly exemplified in the short and decisive action of the Shannon with the Chesapeake, the latter of which was boarded in little more than ten minutes after the action commenced, during which every shot almost told from the Shannon, beating in the Chesapeake's stern-ports, and driving the men from their quarters. The complement of the Shannon was 330, of which twenty-four were boys; that of the Chesapeake, 391, of which seven only were boys. The tonnage of the former was 1066; of the latter, 1135. In all our unsuccessful actions, the frigates of the enemy were vastly superior: thus the United States frigate was 1533 tons, with a complement of 478 men; her opponent, the Macedonian, 1081 tons, and her complement 292 men, of which twenty-two were boys. Again, the Constitution was 1533 tons, with 480 men; the Java, 1073 tons, and 370 men, of whom twenty-three were boys. The Guerrière, taken by the Constitution, was of the same size as the Java, and had only 263 men on board. It was the same in all the actions of the smaller class ships, and those on the lakes, as may be seen



in the elaborate work of the late Mr. James, who spared no pains in arriving at accuracy in his statements.

As the United States, from their vast extent of country, are and must long continue to be an agricultural and commercial nation, it is their obvious policy to avoid war as much as is possible, consistent with national honour. The republic's twelve sail of the line, and the same number of frigates, cannot, as we have said, pretend to engage, single-handed, with either France or England, while a contest must necessarily destroy, for a time, her vast and growing commerce. She appears, indeed, already to feel the weight and the expense of supporting a navy, the relative cost of which is out of all proportion greater than our own. The pay of the officers, petty officers and seamen, with their respective rations, amount to quite as much as ours. The materials of building are fully as expensive; the workmanship more so. The building of the North Carolina, for instance, which they call a seventy-four, but which is pierced for ninety-eight, and actually carries ninety-two guns, cost

In wages	115,938 dollars,
In materials	227,313 do.

Making a total of 343,251 dollars, or 77,232*l*.

the British ship *Vengeance*, of 2,284 tons and eighty-four guns, (about the same size) having cost only 61,000*l*. Then the expense of sailing the North Carolina is beyond comparison greater than even one of our first-rates; she having on board, in officers and men, considerably more than 1100 persons, whilst the full war complement of a British ship of the first class of first-rates, is only 900 men. While they confine their peace-establishment to a single ship of the line, they may be able to do this sort of thing, but to man a whole fleet on the same scale, would be ruinous, if not impossible. Mr. de Roos assigns a motive, which may or may not be the real one.

'I next went on board the *Ohio*, a two-decker, carrying 102 guns, which was lying in ordinary, alongside the yard, but not housed over. A more splendid ship I never beheld: she had a poop and guns along her gangways; the guns of her lower deck were mounted, and all her standing rigging was on board; she was wall-sided, and, like all the American ships, her bows projected aloft: this practice, however, it is intended to discontinue in future, as it is found to render their ships extremely uneasy when at anchor. I was filled with astonishment at the negligence which permitted so fine a ship to remain exposed to the ruinous assaults of so deleterious a climate. She has only been built seven years, and, from want of common attention and care, is already falling rapidly into decay. I afterwards learned that this vessel was an instance of the cunning, I will not call it wisdom, which frequently

frequently actuates the policy of the Americans. They fit out one of the finest specimens of their ship-building in a most complete and expensive style, commanded by their best officers, and manned with a war-complement of their choicest seamen. She proceeds to cruise in the Mediterranean, where she falls in with the fleets of European powers, exhibits before them her magnificent equipment, displays her various perfections, and leaves them impressed with exaggerated notions of the maritime power of the country which sent her forth. She returns to port, having effected her object; and such is the parsimony of the marine department, that she is denied the common expenses of repair. I must, however, observe that these expenses are very considerable, from the total want of docks; in consequence of which they are obliged to be repaired when hove down—an operation of immense difficulty.'—*Personal Narrative*, p. 62-64.

The employment of such a ship as the 'North Carolina' in the Mediterranean, to protect their trade against a few Greek *misticos*, with a couple of six-pounders and some twenty men, is something very unlike the usual practice of this economical government; nor is the policy very apparent, of employing eleven hundred men in a single ship, when their whole peace establishment of officers, petty officers, and seamen, in 1826, amounted only to 4268. With this small number of men, the establishment of the dock-yards on a very limited scale, and the civil branches of the service a mere trifle, the sum expended for the naval department, in 1826, was 4,222,952 dollars, or close upon one million sterling. The American timber is so bad, that three of the line-of-battle ships are already in a state of decay. They have a practice of inserting large quantities of salt between the timbers, and in the joints, which is supposed to preserve the ships from the dry-rot, but which, we have no doubt, contributes very much, by the constant moisture attracted from the air, to their decay. Our practice is to steep the timber in salt water, and then to let it season for some time; and experience has proved the good effects of this process, there being now, we understand, scarcely a vestige of dry-rot in any of our ships-of-war. The Americans, and indeed all the maritime nations of Europe, build their ships, in imitation of ours, with round sterns, and most of them have adopted the diagonal braces of Sir Robert Seppings. The sides of the American ships are about one-third thicker than ours, and the live-oak is carried up to the top of the bulwark; the masts also of the respective classes are of greater diameter than ours.

A very general opinion prevails, that *steam* will act a very important part in any future war; and we have heard the government of Great Britain censured for not paying more attention to it. Nothing that we have yet seen or heard has convinced us that steam ships of war will ever be constructed of superior efficiency

ciency to those navigated by canvass, in comparison to which, in many respects, they will be placed under signal disadvantage; they may, and no doubt will, act, in certain cases, as auxiliaries; and we know not what nation can be likely to employ them in this way so largely and effectually as Great Britain, which possesses coal and iron in greater quantities, and manufactures machinery in greater perfection, than any other country in the world.

We well remember what boasting was made, towards the end of Mr. Madison's war, of the Fulton steam-frigate; she was Fulton the Great, or, as there were to be many more of them, Fulton the First, and Fulton we know not what; in short she was a prodigy—*omne ignotum pro magnifico*.—She was described as an impregnable fortress, a moveable bomb-proof battery, that was alone to protect the harbour of New York, and to sink everything that came near her. On trial, however, it was soon discovered that steam and great guns did not well assort; and she now lies near the dock-yard as a receiving-hulk for—we had almost said—*pressed* seamen, (for kidnapping is very little short of it), a measure to which they must resort at last, if they ever mean to man their twelve sail of the line.

In common steam-boats, however, we are ready to acknowledge the Americans beat us out and out; their great inland waters are peculiarly adapted for this kind of navigation. We have now before us an account of an experimental steam-boat for the Hudson river, which is stated to have been propelled, for ten hours successively, at the rate of *sixteen miles* per hour, fairly through the water. The authority appears to be good, but, *credat Judæus*, we cannot believe it; the resistance which such a velocity would occasion could only be overcome by something like a butcher's tray, or a skimming-dish: our best-built boats, furnished with Bolton and Watt's best engines, are barely propelled *through the water* at the rate of *nine miles* an hour. As a set off, however, the only steam-vessel sent from America across the Atlantic was so complete a failure, that it is not probable they will try another such experiment in a hurry.

There are many good harbours on the extensive line of coast between the bay of Fundy and the gulf of Mexico, but none of them possess facilities for the construction of dry-docks, on account of the little rise of the tides; for want of these, recourse must be had to *heaving down*, an operation both difficult and dangerous to ships of a large class. The greatest rise of tide along the coast of America is not more than from ten or eleven to four feet.

To obviate these difficulties, recourse was had to the use of a *cradle* invented by Commodore Porter, and called his 'inclined plane;'

plane.' Mr. de Roos saw the Potomac, a sixty-gun frigate, at Washington, hauled up on a machine of this kind, and partly suspended by cables, and partly by shores. The hauling up was not difficult, but 'the ground,' he says, 'having afterwards given way under her stern, the inclination of the plane had altered, and I very much doubt whether she will ever be got down again.' On finding the absolute necessity of having dry-docks, however costly they may be, a message was sent last year from the President to Congress, transmitting a report of an examination and survey of a site for a dry-dock, at four of their naval yards.* The expense of constructing them will necessarily be great. Every species of labour required is dearer than in England—masons, ten shillings a day; carpenters and blacksmiths, seven shillings; and common labourers, four shillings, and four-and-sixpence a day. The places at which it was proposed to conduct the survey, and the estimated cost of a dry-dock at each, are subjoined:—

Portsmouth, N. Hampshire . . .	349,571 dollars.
Charlestown, Massachusetts . . .	356,864
Brooklyn, New York	380,116
Gosport, Virginia	398,800

That is to say, about 85,000*l.* each, which in England, on an average, might cost from 60,000*l.* to 70,000*l.* each. The rise of the tides at Brooklyn, on which the dockyard of New York is situated, is only six feet six inches the highest, and three feet the lowest, giving an average of four-and-a-half feet.

If, indeed, the United States government have determined to have an efficient and imposing navy, they must expect to encounter numerous difficulties, as well as a vast expense. The Report of the Secretary of the Navy to the President gives no very flattering picture of the present state of their ships, or the building arrangements of the dockyards. The latter having been raised to what they are, by temporary expedients, to answer pressing necessities, 'many and serious evils,' it is observed, 'have resulted; much public money has unnecessarily been expended; many losses sustained by the change, removal, and alteration of the several erections; timber exposed to decay; stores requiring immense labour to deposit and preserve them; a much larger number of hands required to perform the work; unpleasant, and sometimes inju-

* The dock-yards which have been established for the naval service, are those of Portsmouth (New Hampshire), Charlestown (Boston), Brooklyn (New York), Gosport (Virginia), Washington (Philadelphia), and the smaller ones of Norfolk and Pensacola, the latter so unhealthy, that, we believe, they are about to abandon it. The two principal yards are those contiguous to the two magnificent harbours of New York and Boston; and it is for these two, and at Portsmouth and Gosport, that the examination and report have been made.

rious delays in fitting out our vessels ;'—in short, it is stated by the Secretary, as a mortifying fact, that a third of the money expended in the dockyards has been thrown away ; and he concludes by saying that, ' without an organization of some kind—without a revision of our penal code, and of our rules and regulations—and without a naval school, tardy amendments may be made in our naval service, and in its administration, but it is in vain to hope for speedy, useful, and very practical changes.'

As the Americans have already a ' military academy,' and are fond of imitating England, they think it right to have a ' naval school' also. Well-informed naval officers, however, have entertained doubts as to the likelihood of any great advantages from the establishment of a ' naval school,' either for scientific navigation, or scientific ship-building. To become a good practical seaman, a boy should enter the navy at eleven or twelve years of age : if he employs those years, and two or three more at a naval school, he will have acquired habits that do not suit exactly for the naval profession ; and before he has served out his four or five years, to qualify him for the commission of a lieutenant, he will probably have lost the superficial smattering which he carried with him from the naval school. The opinion of many of our own officers is, that the education which is afforded on board a ship supplied with a good schoolmaster, is more likely to produce a good officer, and a thorough seaman, than the best school on shore. Perhaps, indeed, the end sought for might be better attained, if an establishment were formed on board a ship in ordinary, to which lieutenants, and even commanders and captains could resort, there to receive the benefit of instruction from scientific professors, the payment of whom would be the only expense to the public. There can be no doubt that a great number of young officers would be but too happy to pay their own mess, in order to avail themselves of such an opportunity of improving themselves in the scientific part of their profession.

Much has been said respecting the application of abstract mathematical science to naval architecture ; and long and laborious calculations have been made to obtain those fine flowing lines, on which the stability and velocity of a ship are supposed to depend. With all due deference to such names as Bouguer, Bernoulli, Euler, and Don George Juan, while we admire the ingenuity of their theory, it will be seen that, with the exception of the last, they had little acquaintance with the practical effects of the action of an agitated sea on a ship. We cannot think there is so much art or mystery in the craft of ship-building, that is to say, in the construction of a ship's hull, as is generally supposed. The recent trials

trials of what was called 'the experimental squadron' have, among other things, tended to confirm us in this opinion. When we find two captains in the navy building ships, without the smallest pretensions to science, and one of them, at least, unable to draw a draught—and find Sir Robert Seppings building, not from science, but observation and experience,—when we see those built after draughts prepared by Professor Inman on scientific principles (and no one disputes the extent of his science),—and when it is found, on trial, that their respective qualities are so nearly balanced, that every one proclaims his own the best, and the admiral who accompanied them will not decide,—we confess that we see no great reason for asserting the superiority of science over common sense and practical observation. When we recollect too that the late Sir William Rule, who, to use a homely expression, worked only by 'the rule of thumb,' planned and built the *Caledonia*, a ship which, for beauty, strength, stability, stowage of provisions, berthing the men, quick sailing, and easy working, in short, for every practical good quality, has probably not her equal in the world, we must hesitate before we assign the palm to abstract science. Mr. de Roos was very much struck with 'the beauty and excellent qualities of the American-built ships,' whether naval or mercantile, and, as yet, we are quite sure they have not troubled themselves with abstruse calculations in transcendental geometry, to ascertain the true curvature of the lines in a ship's bottom. All they do is to decide upon a draught, or model made by the eye, and the constructor is to build after that model.

We have another opinion concerning ships' hulls, which many will consider as little short of heresy. It is this: that the figure or shape of a ship's bottom, as far as velocity and some other good qualities are concerned, contributes less to the attainment of these qualities, than the length, the position, and the rake of the masts, the size of the yards, the position and cut of the sails, the stowage and trim, and lastly, which is by no means the least important point, the way in which she is managed or sailed. Let but a ship be built with a full round bow, to meet a head sea, with her extreme breadth carried well forward, diminishing in a regular curvature to the stern, to let the water she displaces pass freely aft, as nature has provided in the shape of fish and water-fowl, and not to be immersed too deep in the water, and such a hull, with the other points above enumerated managed as they ought to be, will compensate the want of lines and curves deduced from mathematical calculations.

If the result of the trial-ships, to which we have alluded, should not be deemed sufficient to carry us to this conclusion, the case
of

of the *Barham* will, we think, decide it. This ship was one of those seventy-fours to which a gallant admiral facetiously gave the name of the 'Forty Thieves,' being built of green timber in merchant yards, but on what was esteemed as a good model. She has recently been cut down from a two-decker to a frigate; of course, by the removal of a deck and upper-works, and of about twenty of her guns, she has risen in the water, and presented an entirely new line of flotation, some three feet lower than before. Here, then, her bearing on the water is totally changed from that line which was calculated to be the only true one for stability and fast-sailing; nor is this all: this hull, so reduced, and so much lighter than before, retains her original masts and yards, the former of which are, of course, about *ten feet higher* out of the *housing*, or above the deck, than when she was a 74, and her lower sails deeper by ten feet than before—yet, with all these changes, which, we think, it would be difficult to ascribe to any result of mathematical principles, her sailing, and all other qualities, are reported to be essentially improved. This ship, carrying fifty guns, thirty-two pounders, with a proper complement of men, need not fear at any time to engage one of the American sixty-gun frigates, she being, in all respects, a much finer ship.

The French ships are generally acknowledged to excel ours in the beautiful lines of their hulls, and to beat us on most points of sailing; and we have very often endeavoured to imitate them by building on the same lines, but they have rarely answered the good qualities of the parent-ship. Nay more, it is a common observation, that, if two ships be built from the same draught, with the same scantlings, and by the same builder, their sailing qualities are never alike—to what, we ask, can this be owing, but to the different disposition of the masts, yards, sails, ballast, trim, &c., and to the difference of skill in the commander? But we are called back to America.

The United States' army is kept up on a very small scale; a body of militia being not only less expensive, but considered as more consistent with the principles of a republican form of government, is made to supply its place. That, however, of the Union is in a very disorganized and undisciplined state. Mr. Adams calls it 'a body of dislocated members, without the vigour of unity.' And as to a standing army, the secretary of war observes, 'Economy and the genius of our institutions equally require that such an establishment should be reduced to the smallest number which a just regard to a future state of war will admit.' This establishment is as follows:—the general and medical staff, the pay department, commissariat, corps of military and topographical

topographical engineers, four regiments of artillery, and seven regiments of infantry, present

A total of commissioned officers	542
Non-commissioned officers, musicians, and privates	5,642
Total of the army	6,183

The pay and subsistence of this army and the contingencies of the military department amounted, in the year 1824, to 5,270,254 dollars.

The expenses of the civil department of the state are on an equally moderate scale, as under:—

	Dollars.
For the legislative, executive and judiciary	1,336,266
Miscellaneous	678,942
Diplomatic, treaties, &c.	5,140,099
Total	7,155,307
The gross revenue for the year 1824 amounted to	21,137,362
Expense of collection	751,932
Nett revenue	20,385,430
And the public debt, on the 11th October, 1824, was	90,797,920
Which was reduced, on the 1st October, 1825, to	80,985,537

It is the obvious policy of the governing powers of a country like that we have been describing, to cultivate peace and amity with all the world ; and this desire is always strongly professed in the messages of the president. In their diplomatic intercourse with European states, however—(we make the remark with much pain and regret)—they are generally prepared to start so many points of controversy, to put forward so many unfounded claims and extravagant pretensions,—many of them so contrary to the established law of nations—their self-interest is so predominating a feature, and pursued with so much urgency and perseverance, without the least regard for mutual concession and mutual accommodation, that the word *reciprocity* would seem to be banished from their diplomatic code. Under an affectation of humility and republican simplicity, no absolute monarchy can be, in point of fact, more ostentatious and vain-glorious than the government of the United States. A cold, calculating tone of argumentation marks all their official intercourse with foreign nations ; perhaps it would be deemed inconsistent with stern republican independence, were the president or his ambassador guilty of any of those little acts of courtesy and mutual civility, which subsist in the

the diplomatic intercourse between the organs of the monarchical governments of Europe.

England, more than any other power, has experienced this frigid and exacting temper on the part of the United States, ever since that precious treaty of Ghent, which gave to them all that they asked, and much more than they had any right to expect. Not contented with this, the republic has since put forth claims of the most unreasonable nature; and, in the discussions that have taken place, evinced a litigious disposition on points that can scarcely fail, sooner or later, to bring the two nations into collision: we mean such points as Great Britain never can concede, and which can have no other object, if persevered in, than to serve as so many pretexts to join the enemy against us, in any future war, as she did in the last. The following are a few among the many subjects to which we allude:—

1. A new code of maritime law.
2. The settlement of a boundary line.
3. The claim to the Columbia river.
4. The free and uninterrupted navigation of the St. Lawrence.

1. *The new code of maritime law* branches out into the subjects of impressment, blockade, and that so frequently discussed point,—the right of search to detect articles contraband of war. With the general question of impressment, we apprehend that America, having no concern, has no business to interfere. It is the king's prerogative, and as ancient as the monarchy itself; and if the right, on the exercise of which, in time of need, the very salvation of the empire must depend, is to be abandoned, let us yield up this 'tower of strength' to the clamour of our own democrats, rather than those of the United States. If they have any plan to offer, by which American seamen may be protected against serving in our fleets, and British seamen from entering into theirs, Great Britain will undoubtedly be ready to discuss it: as for those certificates of citizenship, which any British seaman could purchase for a dollar, America must be well assured that Great Britain never can consent to relinquish her claim to the services of her seamen in time of war, upon such slender pretences, and in the absence of anything like proof; but we believe her practice has invariably been to discharge American seamen from her employ, whenever they have been able to substantiate their American citizenship.

Her ideas of a legitimate blockade agree pretty nearly with our own;—that to constitute a legal blockade, there must be an efficient force to prevent all ships from entering a blockaded port; that a *public notification* must be made; that no ship shall be subject

to capture for first attempting to pass the blockading force, but be warned off; but if, after being so warned, she again attempts it, she shall be liable to capture. But the American government has launched a novel proposition, of a very singular nature—that belligerents should abstain from commissioning privateers, and from capturing private property at sea; which is ‘a pretty considerable’ enlargement of the principle that she has long endeavoured to establish, that the flag of a neutral vessel shall cover all property on board, except contraband of war: for here, in order to ascertain whether a vessel has on board articles contraband of war, it is necessary to examine her; and this being admitted, is conceding the whole question of the right of search. We perceive, she has laid down her new doctrine on this point in a treaty with some young republic on the American continent, which calls itself Guatamela; indeed no pains are spared to impregnate all the sister republics of both Americas with the principles of her new code of maritime law, though some of them have not a cock-boat. No matter—it affords the occasion of putting on record American opinions on matters of public law, and the line of policy she is anxious to establish. Her broad proposition is this—that ‘war gives the belligerent no natural right to take the property of his enemy from the vessel of his friend,’—a convenient doctrine enough, it must be admitted, for one who is ready to be the friend of either or *both* belligerents as best suits his purpose.

The interdiction, or suspension, of private war, however amiable it may sound in theory, could only add to the duration and encouragement of public war. To make the scourge of war short, it is necessary to make the people *feel* its pressure. To have a convenient *friend*, such as America proposes, whose flag should protect the property of one or both belligerents, would unquestionably remove the pressure of war from the merchants and manufacturers, while it enriched that common *friend* at the expense of the combatants; but its equally certain and inevitable tendency would be to prolong the war. This state of things, however, can never be permitted. America will attempt in vain to introduce her new code of international law among the princes of Europe: she may indulge her appetite for abstract theories on *natural rights*, but they will not for a moment be listened to in a state of war; and if she persists to put them in practice, she must become a party to one of the belligerents; the consequence will be—let the past speak for the future—that her commerce will no longer ‘whiten every ocean;’ her exports will be reduced from one hundred millions of dollars to five or six millions, and
the

the dissolution of her confederated government put to the hazard. She may rest assured, that the more powerful belligerent by sea will never suffer the *friend* of the weaker to carry on against her a 'war in disguise,' profitable to the friend, and unduly advantageous to the befriended.

2. *The settlement of a boundary line.*—This line of demarcation has been drawn by commissioners under the treaty of Ghent, most unfairly and in every way disadvantageous to the interests of Great Britain and her North American colonies. Whether it was wise to appoint an American citizen, resident in America, to be the commissioner on the part of Great Britain, is not for us to determine—nor do we mean to accuse him of any undue partiality; but the general opinion certainly is that we have by some means or other suffered ourselves to be cheated out of a vast extent of territory. In the first place, a line has been drawn, contrary, it is said, to the letter and spirit of the treaty, which deprives us of about ten millions of square miles of the very best land in the province of New Brunswick. Then, again, by some unlucky chance, an island, at the foot of the Long Sault Rapids, has been ceded to the Americans, which throws the whole of the deep water of the St. Lawrence within the American limits; while, on the Canada side, the water is so shallow as scarcely to float a canoe. We are, therefore, at the mercy of the American government whether we shall be permitted to navigate that part of the river, which is between Kingston and Montreal, or not; and to obviate this difficulty, we are driven to the enormous expense of making a canal of communication. And, with regard to that part of the boundary line which is to run along the 45th parallel of latitude, from the Connecticut River to the St. Lawrence, it appears that the line has been drawn about thirteen miles too far to the northward, and thus taken from us, if admitted, not only a portion of Lake Champlain, and the Isle aux Noix, but also a commanding position on one of its shores, called Rouse's Point, which the Americans had begun to fortify. This fortress, it appears, would favour an attack on Canada; while, on the other hand, the position is innocent as to any purpose for invading the American territory from the side of Canada. The Americans, however, were so anxious to retain this position, as to have recourse to the assertion of a principle, which, we believe, is as new as it is ingenious in diplomacy. They maintained, that all boundary lines were to be settled on true scientific principles, and, therefore, that the line of demarcation should be drawn according to the *geocentric* latitude, which would throw the fortress within their limits. They almost deserve it for their ingenuity; but
England

England must not thus suffer herself to be swindled out of her rights.*

3. *The claim to the Columbia river.*—The claim, which the Americans set up to this river, rests on an assumed priority of discovery by the exploring party under Lewis and Clarke; and to the enormous extent of territory, on the principle that the discovery of the mouth of a river conveys to the country, in whose name the discovery is effected, a right to all the territory traversed by the waters communicating with it, in which no settlements have previously been made. On these 'waters,' however, many of our trading posts of the North-West Company were established long before the exploring party discovered that Columbia, the mouth of which had been surveyed, by order of Captain Vancouver, at least ten years before the said party had crossed the Rocky Mountains. Can, then, the American government have the modesty to persist in urging Great Britain to surrender her title to the whole extent of coast between the 51st and the 42nd degree of latitude, the latter being the northern boundary of Mexico, when Nootka lies within those limits?—that Nootka to which, at the risk of a war, she successfully maintained her right in 1790?

4. *The free and uninterrupted navigation of the St. Lawrence.*—It can hardly be imagined that the American government could seriously propose that, without the least concession on her part, the navigation of the St. Lawrence should be at all times as free to the citizens of the United States as to the subjects of Great Britain, in its whole length and breadth to and from the sea, without impediment, let, or hinderance, and without the payment of any duty whatever. This claim, however, they do set up, which like most others in their new code of international law, is botomed on 'natural right' and 'obvious necessity.' 'The right of navigating a river, say they, is 'a right of nature, pre-existent in point of time, not necessary to have been surrendered up for any purpose of the common good, and unsusceptible of annihilation.' This modest claim is, in short, nothing less than the demand of a free passage for their merchant vessels, of six hundred miles through the heart of his majesty's dominions in North

* We believe the fact of the case to be this. The American agent was lamenting greatly the loss of the fortress, on which our agent jocularly observed, that if the *geocentric* latitude was assumed, they might still hold their fort. The agent mentioned this to Mr. Gallatin, who knew as little of *geocentric* latitude as himself; but he spoke of it to Mr. Monroe, the president, who was equally ignorant with both. They found, however, on consulting one of their mathematicians, that the fact was certainly so; and therefore the claim was seriously insisted upon, on the ground that all boundary lines ought to be settled on scientific principles. Thus it is to joke on treaties with brother Jonathan.

America, down a river which lies entirely through all that space within the British dominions, traverses the finest settlements of Canada, and washes the quays of Montreal and Quebec. There is something whimsical and not very consistent in this free republican government appealing perpetually to the 'rights of nature,' in whose territories every sixth man is in a state of absolute and unmitigated slavery; and which, by a series of encroachments and usurpations, has driven back the original possessors of those territories, and so nearly exterminated them, that, before the present century expires, they will probably have become rare enough for the people of Washington, or New York, to

'Show an *Indian* as they show an ape.'

There are many other points of collision, besides those we have mentioned, which may lie dormant or occasionally be brought into discussion in time of peace, but which will most assuredly come into play whenever a war may break out between Great Britain and any of the maritime powers of Europe; for we will not suppose that America is so insensible of the benefits of peace as to be rash enough to commit any direct hostile act of aggression that can possibly call down upon her so tremendous a scourge as that of a war with England,—a war that might be fatal, as the last war had nearly been, to the confederated government.

There are not wanting persons who think, and our anonymous German is one of the number, that there exists a leaning among the more wealthy citizens of the eastern states towards monarchy, as being more compatible with the general feeling of the civilized world; that their ambassadors and ministers find themselves isolated, as it were, among the *corps diplomatique*; that the wealthy citizens do not consider themselves, nor are considered by the populace, as at all distinguished above the manufacturers and tradesmen; and, therefore, that they would not be sorry to have a fountain-head, from whose source honours and distinctions might be derived as in monarchical governments—ribands—garters—stars—titles—in short, a limited sovereignty supported by an aristocracy; and it is asked, why not imitate Great Britain in this as we have done in most other respects? Our author says, the elder Adams, in his character of vice-president, brought forward a motion before the senate for changing the president's style and title from that of *Excellency* to *Highness* and *Protector of our liberties*; and that the present president, John Quincy Adams, is of opinion that the United States will not be ranked among nations of the first order until the presidency shall have become hereditary—meaning, of course, in his own family: but then he tells us, somewhat quaintly, that the '*Johns* have never furnished high specimens of prudent government; that the English John lost his dominions,

dominions, the French his liberty, the Bohemian his life, and the American his second election;’ and he might have added, that the Scotch John changed his name to Robert on coming to the throne, from a superstitious dread of this very fatality—and fared little better for the mutation.

We know not how far or to whom Mr. Adams may have communicated his private sentiments, but we do know that he has sworn to preserve, protect, and defend the constitution as handed down to him by his predecessor, and that he has enunciated, in his inauguration speech, a political creed which breathes the true republican spirit.* In fact, however, it was as necessary for him to profess publicly in that particular vein, as it is for the candidate for a seat in the congress to drink whisky and shake hands with the stupid Germans (so this German writer calls them) of Pennsylvania, and Virginia, and Maryland, the French of Louisiana, and the Irish every where, all of whom are the most determined democrats in the union, and without whose suffrages the said candidate can have no chance of success. The congress-candidate has a no less serious ordeal to go through than he who stands for an open borough in England. On such an occasion, the privacies of his family, we are told, are strictly scrutinized; and, says our German author, ‘if the lady of a would-be *honourable*, in some states, does not happen to wash her husband’s and children’s linen, and make their clothes, he is assuredly undone; he has no claim to popularity; he is a proud man, a federalist, a tory, and heaven knows what besides.’ Even a keg of whiskey, which, it appears, has so much stern republican virtue in it, will not stand such a man in stead.

We are not sure that the newly-formed republics of South America and of Mexico, if they should stand, may not be the means of prolonging the present form of government in the United States beyond the period when it might be naturally expected to

* This creed is thus given:—‘That the will of the people is the source and the happiness of the people, the end of all legitimate government upon earth; that the best security for the beneficence, and the best guarantee against the abuse of power, consists in the freedom, the purity, and the frequency of popular elections; that the general government of the Union, and the separate governments of the states, are all sovereignties of limited powers—fellow-servants of the same masters—uncontrolled within their respective spheres—uncontrollable by encroachments upon each other; that the firmest security of peace is the preparation, during peace, of the defences of war; that a rigorous economy, and accountability of public expenditures, should guard against the aggravation, and alleviate, when possible, the burden of taxation; that the military should be kept in strict subordination to the civil power; that the freedom of the press, and of religious opinion, should be inviolate; that the policy of our country is peace, and the ark of our salvation, union;—are articles of faith on which we are now all agreed.’—*Adams’s Inaugural Speech*, 1825.

assume another shape ; on the other hand, the fall of those flimsy structures may abridge its duration. At any rate, we believe there are few thinking men among the North Americans who seriously doubt that some change must take place before this extensive country shall number, as it is sure to do before twenty years are over, twenty millions of people, composed of all nations and languages, religions, sects, and colours—divided into twenty-four states, each having its peculiar government and its separate interests, and each jealous of all the rest. It is only in a new and thinly-peopled country, wherein every man has plenty of elbow-room, that such a state of society could be expected to hold together ; in old countries no such confederacy could possibly exist : and history has left us nothing like it. Mr. de Roos has some observations on this subject, which we willingly quote :—

‘ The experiment of a democracy upon so great a scale was a bold conception, considering the fate which has hitherto invariably attended all systems of popular government—a conception worthy of a mighty mind, worthy of the philosophic statesman, who “ eripuit cœlo fulmen sceptrumque tyrannis.” How long this vast machine will continue to work, is a matter of interesting speculation. Hitherto the Americans have enjoyed the advantage of occupying a country where the evils of an overflowing population have not been felt ; where every man is either a farmer or a merchant ; where there are no idlers ; and, more than ail, where there are no poor ; for vile indeed must be the American who cannot in some capacity earn an ample maintenance. When, however, the means of carrying off a superfluous population begin to fail, which at some period must be the case ; when the sated ambition of wealth gives place to the love of distinction and power ; and when the struggle for superiority between the young and old states gives rise to disturbances, symptoms of which have already appeared, we may expect to see the disadvantages of a popular government.’—*Personal Narrative*, pp. 24, 25.

Our own opinion, however, is, that whatever difference of interests and feeling existed between the northern, the southern, and the western states, during the late war, the return and continuance of peace have nearly put an end to all animosities arising out of political opinions among those whose opinions have any weight, and that the Union is gaining strength every day. We merely laugh at our German author’s prediction, that the next election will be the crisis that must decide whether the republican or the monarchical government is eventually to prevail. If Adams be re-elected, he pronounces the downfall of the federal government ; and it seems in his estimation, that ‘ he has all the New England States, and part of New York and New Jersey, on his side ;’ and that ‘ in both these latter states, as well as in Virginia, public opinion, among the higher classes, declares itself almost
openly

openly for monarchical government.' But then the fierce Kentuckians, and all the western and southern states, are his avowed and decided enemies; and so they may be, and again try to elect General Jackson;* be very boisterous, and drunken, and quarrelsome, (as bad almost as our own rabble were at Preston, in Lancashire, the other day,) and in three days all will be calm again.

There is no doubt, however, that the sober and right-thinking part of the people tremble at the idea of placing a military man at the head of the government, and particularly such a man as Jackson, who is represented as one 'destitute of every qualification for the presidency, and possessing nothing to recommend him to the suffrages of his fellow-citizens, but an ungovernable temper, a ferocious courage, and a contempt for the constitution and laws.' They are apprehensive, and not without reason, that, should such a man be elected, the character of the government of their peaceable and flourishing confederacy may be changed into 'that of the most miserable, the most despotic, and, to all the enjoyments of life, the most formidable that ever afflicted the human race—a military republic.' The natural consequence would be, that of running into the contrary extreme—the establishment of that monarchical government, towards which, our German tells us, the friends of Mr. Adams are already well disposed.

Our author gives a whimsical instance, which we shall extract, of the absurd extent to which this spirit of party-feeling and animosity is carried in the unenlightened part of the States:—

'Last year a steam-boat was launched from the wharfs at Pittsburgh; she was destined to run between that place and New Orleans, and was to start immediately on her first trip. Thousands of people were collecting on the bank of the Ohio (Monongehela;) trunks, barrels, and bales, lay ready for embarkation; the passengers were going to enter their names; the public attention was in suspense, and only waited for the last act of this interesting scene. At length the veil was removed from the bust placed at the head of the vessel, and the name of the steam-boat appeared in letters of gold a yard long. In less than five minutes, not a spectator, not a passenger, not a trunk, not a barrel, not a bale was to be seen: without uttering a word, the silent multitude had disappeared. The name of the steam-boat was *Lady Adams*, her bust, an elegant piece of carving in princely costume with a diadem, was proudly displayed at the head of the vessel. The owner, who had a few days previously arrived from the south-west, and thought to give the good people of Pittsburgh an agreeable surprise, found himself wofully disappointed, and he replaced the elegant figure

* If the account of this man's conduct, as stated in a Tennessee newspaper, be true, and it is authenticated by the signature of one of the parties concerned, he is fitter for a cell in a gaol, with a strait waistcoat, than the president's chair.

by that of the martial-whiskered *General Caffee*; and then only did passengers, bales, and barrels return, though not in half the number they had before presented themselves.'—*United States*, pp. 25, 26.

The president of the United States, be his sentiments what they may, has an arduous and delicate task to perform. - He has all the conflicting interests and the opposite opinions of a stern republican population to conciliate—he has to frame his messages, and trim his measures, so nicely as not to be defeated, nor to give offence to the congress, in which all these opinions and interests are congregated; but each member of which,—so at least our German tells us,—takes care of his own interests first, then those of his constituents, and last of all, those of the nation. The president may almost be said to stand alone; he has no cabinet to consult, nor any other dependence for assistance or advice, except on a few irresponsible official underlings. He derives none of that advantage which the ministers of religion are supposed to confer, by their influence over the minds of the people, and which, in monarchical governments, when used with discretion, is no mean support of the throne. The American government, indeed, has been deeply censured for its laxity and indifference in matters of religion, even on the score of state policy. Ministers of all sects indifferently, Anglicans, Presbyterians, Papists, Unitarians, are seen officiating as chaplains at the openings of the sessions of congress; and the consequences of this apparent indifference are what might have been looked for. In the total absence of a church establishment and a national religion, the people, abandoned to their own fancies, have split into a hundred different sects, and some of the lower orders, uneducated and uninformed, have adopted the wildest notions and conduct that can possibly be imagined.

It is due, however, to the respectable part of the citizens of the United States, of whatever sect, to state that they are not only observant of religious duties, but cheerfully and willingly tax themselves, sometimes very heavily, in the building of churches and chapels, and in providing funds for the payment of their ministers. The contributions for this purpose exceed, in many places, the whole amount of taxes paid to government. In Philadelphia alone we are assured there are more than eighty churches and meeting-houses, all of which are frequented on the sabbath-day. In Pittsburgh, a city only created the other day, there are no less than ten churches, one of which our author says is in a style of Gothic elegance, worthy an European metropolis. The ministers of the episcopalian church are said to be more tolerant in temper, and consequently more popular among the better classes of society, than the presbyterians, but many families

lies attend equally, and equally subscribe to, the one and the other, and no religious disputes or bickerings are ever heard in the United States. We believe, therefore, either that Mr. de Roos must have been dozing, or that his attention had been diverted from the pulpit by 'the dress and beauty of the ladies,' when he supposed he heard from a 'fashionable preacher' at Washington, the blasphemous nonsense which he details at p. 26 of his Narrative. He tells us, that Mr. Adams and Mr. Rush formed a part of the congregation. We have a better opinion of their taste and feeling, than to suppose they would sit patiently to listen to such trash. Mr. de Roos's ears must have deceived him; or, at worst, his 'superior' preacher must have been some noisy quack, enjoying the brief summer of resort and applause which such people sometimes meet with elsewhere than in North America.

The little encouragement that is held out, with a few exceptions, for young men intended for the learned professions, especially as ministers of religion, is one of the main causes why the colleges, or universities as they call them, of the United States, are in such low repute. The clerical function appears, indeed, to be thought but lightly of among them; we have more than once met with young gentlemen in coloured clothes in society here, who, we were told, had had the cure of churches or chapels in the United States; and who, it was added, would, or would not, re-assume the garb and character of clergymen on their return, exactly as might happen to suit their interests or inclinations. While this state of things continues, the clerical profession cannot attain the proper measure of respectability. The bench is as low as it possibly can be, and the bar not much higher. Mr. Adam, indeed, complains that the state of their judicature requires amendment. 'The executive,' he says, 'and still more the judiciary department, are yet, in a great measure, confined to their primitive organization, and not adequate to the wants of a still growing community.' Those students who are destined for the medical profession, remain the longest at the colleges, but our German tells us that speculation in land or commerce is so common, and the thirst for money-making so universal, that boys who are sent to the colleges are generally withdrawn by their friends by the time they have acquired little more than the rudiments of a classical education. The young Americans whose accomplishments attract notice, will generally be found to have studied either in Britain or Germany. All this will be cured in time. He admits there is no want of free-schools, to which the farmers send their children, and that reading and writing are acquirements so universally spread over the Union, that whenever one meets
with

with a person ignorant of them, he may be set down as an emigrant Irishman or a descendant of a Frenchman. Well-selected libraries are found in every town; our principal reviews and magazines are regularly reprinted; and of late they have some respectably-conducted periodical works of their own. Newspapers are read by every class of society; they comprehend everything that is passing in all the states of the Union. Their number is immense:

'Upwards of one thousand,' says our anonymous author, 'are now printed in the Union; Pennsylvania alone has one hundred and fifty. There is hardly a county as far as the falls of Ohio, which has not at least one public paper. The poorest man is thus enabled to keep a newspaper, the cost of which does not exceed three dollars (thirteen shillings) a year, as there is no stamp-duty attached; and the postage within each state is not more than a halfpenny, and without it about three farthings.'

We are glad to find, from Mr. de Roos, that an English gentleman is everywhere sure of a friendly reception from the citizens of the eastern and southern states. We learn the same from the four gentlemen mentioned in the early part of this article, who were delighted with the attentions they invariably experienced. This is as it ought to be. Mr. de Roos is pleased with most things—above all, as might be looked for in a young lieutenant fresh from the sea, with the ladies. The streets of New York he says are well-lighted; and crowds of well-dressed people parade the avenues of trees on each side, to enjoy the cool breezes of the evening; but the City Hotel and everything belonging to it was execrable. A *table-d'hôte*, with one hundred and fifty people sitting down at it; floors without carpets; beds without curtains; a rag for a towel; no glasses, mug, nor cup in the bed-room; half-a-dozen beds in one room, and men sleeping in couples in each bed; these are the disagreeables of New York. Baltimore, he says, is the prettiest city in the United States; not so large as Philadelphia or New York, but in neatness, cleanliness, and regularity of building, far surpassing them; the ladies more beautiful, their taste in dress better, and quite Parisian. But we are warned to stop, not deeming it necessary to follow our Lieutenant into Canada, nor to say one word as to the rotten ships he found on Lake Ontario, which the two nations built at the cost almost of their own weight in gold; the great expense of which, and the dreadful slaughter which unnecessarily took place on those waters, may be the means, it is to be hoped, of deterring both from ever building another ship of war on this or any other of the lakes: we say *unnecessarily*, because neither the United States, nor the Canadas, are to be attacked or defended successfully

successfully by any of these great waters. We shall merely notice the account he gives of the velocity of an ice-boat, which he saw in Kingston dockyard, because its accuracy has been called in question. It was mounted on three skates, one attached to each end of a strong cross-bar, fixed under the fore-part, and a third to the bottom of the *rudder*; rigged with a mast and sail, like those of a common boat.

‘ Her properties are wonderful, and her motion is fearfully rapid. She can not only sail before the wind, but is actually capable of beating to windward. It requires an experienced hand to manage her, particularly in tacking, as her extreme velocity renders the least motion of the rudder of the utmost consequence. A friend of mine, a lieutenant in the navy, assured me that he himself last year had gone a distance of twenty-three miles in an hour; and he knew an instance of an ice-boat having crossed from York to Fort Niagara (a distance of forty miles) in little more than three quarters of an hour. This will be readily believed, when we reflect on the velocity which such a vessel must acquire when driven on skates before a gale of wind. These boats are necessarily peculiar to the lakes of Canada.’—*De Roos*, pp. 142, 143.

By no means ‘ necessarily’ so. We remember, many years ago, two Englishmen fixing iron runners to a Russian sledge, with which, after rigging it with mast and sail, they started upon the Neva, and darted along at the rate of twenty-two miles an hour. Having, in their progress, observed a wolf crossing on the ice, they steered directly towards it, and such was the velocity of the sledge, that it cut the animal in two. They had no doubt that, with a double quantity of canvass, they could have nearly doubled the velocity.

Note to the Article on the Geology of Central France in No. LXXII.

WE stated in our last Number, p. 439, that, with the exception of a short paper in the *Edin. Phil. Journal* for 1820-21, by Dr. Daubeny, we recollected no English writers on the geology of Auvergne, until the works of Mr. Scrope and Dr. Daubeny ‘ *On Volcanos*,’ came out nearly at the same time. We ought, however, to have mentioned, that, subsequently to the appearance of Dr. Daubeny’s first communication, Mr. Bakewell published, in 1823, his observations on Auvergne at the conclusion of his *Travels in the Tarentaise*.—Although his brief visit to the district around Clermont only permitted him to take a hasty survey, he succeeded in seizing with correctness many of the principal geological features of the country, and presented to the

English

English reader a concise and intelligible outline of the leading phenomena. His remarks were illustrated by a section descriptive of the relative age of the fresh-water strata, and the two great divisions of ancient and modern volcanic products ; and drawings were also added of some of the remarkable volcanic cones.

In discussing the nature of trachyte, Mr. Bakewell declared his dissent from Dr. Daubeny's hypothesis, that the isolated mountains, composed of that substance, in Auvergne, had been ejected in the state of mud. (*Bakewell*, vol. ii. p. 372.) As the professor, in a second edition of his letters, has particularly adverted to this misconception of his meaning, we shall take this opportunity of inserting his explanation, — which has, perhaps, escaped the notice of some of Mr. Bakewell's geological readers. It was merely his intention to signify that trachyte and domite were the product of a peculiar class of volcanos, like those noticed by Humboldt in the New World, and those which produced the lava of the Lipari islands. One of the characters attributed by Dr. Daubeny to this class of volcanos was the giving rise to frequent ejections of mud, and he called them *mud-volcanos*, without meaning to place trachyte among the products of this kind, any more than obsidian or pumice. (See *Dr. Daubeny's Second Letter to Professor Jameson on the Ancient Volcanos of Auvergne*, p. 30. corrected and reprinted October, 1825.)

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The mansion asks its lord, the swains their friend,
While he doth riot's orgies haply share,
Or tempt the gamèster's dark destroying snare,
Or at some courtly shrine with slavish incense bend!'

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‘ Yet hence the poor are clothed, the hungry fed ;
Health to himself, and to his children bread,
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The garden, at first intended merely for producing esculent vegetables, fruits, and flowers, began to assume another character, so soon as the increase of civilization tempted the feudal

before

baron to step a little way out of the limits of his fortifications, and permitted his high dame to come down from her seat upon the castle walls, so regularly assigned to her by ancient minstrels, and tread with stately pace the neighbouring precincts which art had garnished for her reception. These gardens were defended with walls, as well for safety as for shelter; they were often surrounded with fosses, had the command of water, and gave the disposer of the ground an opportunity to display his taste, by introducing canals, basins, and fountains, the margins of which admitted of the highest architectural ornament. As art enlarged its range, and the nobles were satisfied with a display of magnificence, to atone for the abridgment of their power, new ornaments were successively introduced; banqueting houses were built; terraces were extended, and connected by staircases and balustrades of the richest forms. The result was, indeed, in the highest degree artificial, but it was a sight beautiful in itself—a triumph of human art over the elements, and, connected as these ornamented gardens were with splendid mansions, in the same character, there was a symmetry and harmony betwixt the baronial palace itself, and these its natural appendages, which recommended them to the judgment as well as to the eye. The shrubs themselves were artificial, in so far as they were either exotic, or, if indigenous, were treated in a manner, and presented an appearance, which was altogether the work of cultivation. The examination of such objects furnished amusement to the merely curious, information to the scientific, and pleasure, at least, to those who only looked at them, and passed on. Where there was little extent of ground, especially, what could be fitter for the amusement of ‘learned leisure,’ than those ‘trim gardens,’ which Milton has represented as the chosen scene of the easy and unoccupied man of letters. He had then around him the most delightful subjects of observation, in the fruits and flowers, the shrubs and trees, many of them interesting from their novelty and peculiar appearance, and habits inviting him to such studies as lead from created things up to the Almighty Creator. This sublime author, indeed, has been quoted, as bearing a testimony against the artificial taste of gardening, in the times when he lived, in those well-known verses:—

‘Flowers worthy of Paradise, which not nice Art
In beds and curious knots, but Nature boon
Poured out profuse on hill, and dale, and plain,
Both where the morning sun first warmly smote
The open field, and where the unpierced shade
Embrowned the noontide bowers. Thus was this place
A happy rural seat of various view.’

This passage expresses exquisitely what park-scenery ought to be,
and

and what it has, in some cases, actually become ; but, we think, the quotation has been used to authorise conclusions which the author never intended. Eden was created by the Almighty fiat, which called heaven and earth into existence, and poets of genius much inferior, and falling far short of Milton in the power of expressing their meaning, would have avoided the solecism of representing Paradise as decorated with beds and curious knots of flowers, with which the idea of human labour and human care is inevitably connected—an impropriety, indeed, which could only be equalled by that of the French painter, who gave the skin dress of our first father the cut of a court suit. Milton nobly conceived that Eden, emanating directly from the Creator, must possess that majestic freedom which characterizes even the less perfect works of nature, and, in doing so, he has anticipated the schemes of later improvers. But we think it extremely dubious, that he either meant to recommend landscape gardening on an extensive scale, or to censure those ‘trim gardens,’ which he has elsewhere mentioned so affectionately.

A garden of this sort was an extension of the splendour of the residence into a certain limited portion of the domain—was, in fact, often used as a sort of chapel of ease to the apartments within doors ; and afforded opportunities for the society, after the early dinner of our ancestors, to enjoy the evening in the cool fragrance of walks and bowers. Hence, the dispersed groups which Watteau and others set forth as perambulating the highly ornamented scenes which these artists took pleasure in painting. Sometimes the hospitality of old England made a different use of these retreats, and tenanted the pleasure-ground with parties of jolly guests, who retired from the dining-parlour to finish the bottle, *al fresco*, on the bowling-green and in its vicinity. We have heard, for example, that, in a former generation, this used to be the rule at Trentham, where a large party of country-gentlemen used to assemble once a week, on a public day appointed for the purpose. At a certain hour the company adjourned to the bowling-green, where, according to their different inclinations, they played at bowls, caroused, lounged, or smoked, as their inclinations determined, and thus released their noble landlord from all further efforts to keep up the spirit of the entertainment. The honest Staffordshire squires were not, perhaps, the most picturesque objects in the world, while thus engaged, with countenances highly illuminated,

‘With a pipe and a flask, puffing sorrow away ;’

but the circumstance serves to show that such *plaisances* as we have described formed convenient, as well as agreeable accompaniments to the mansion of a nobleman, who, having a certain
duty

duty to perform towards his neighbourhood, was accommodated by that arrangement of his pleasure-ground which enabled him to do the thing with most satisfaction to his guests, and least personal inconvenience to himself.

Such were the uses of the old fashioned and highly ornamented style of gardening. Its beauty, we have been informed by a sure, nay, we will add, the surest guide on such a subject, consists in its connexion with the house—

‘Where architectural ornaments are introduced into the garden about the house, however unnatural raised terraces, fountains, flights of steps, parapets with statues, vases, balustrades, &c. may be called—however our ancestors may have been laughed at, (and I was much diverted, though not at all convinced with the ridicule,) for walking up and down stairs in the open air—the effect of all these objects is very striking; and they are not more unnatural, that is, not more artificial, than the houses they are intended to accompany.’*

Nothing is more completely the child of art than a garden. Its *artificial* productions are necessarily surrounded by walls, marking out the space which they occupy as something totally distinct from the rest of the domain, and they are not seldom distinguished by the species of buildings which their culture requires. The green-houses and conservatories necessary to complete a garden on a large scale are subjects susceptible of much ornament, all of which, like the plants themselves, must be the production of art, and art in its most obvious phasis. It seems right and congruous that these objects, being themselves the offspring of art, should have all the grace of outward form and interior splendour which their parent art can give them. Their formality is to be varied and disguised, their shapes to be ornamented. A brick wall is, in itself, a disagreeable object; but its colour, when covered with green boughs, and partially seen through them, produces such a rich effect as to gratify the painter in a very high degree. Upon the various shapes and forms of shrubs, creepers, and flowers, it is unnecessary to dilate; they are the most beautiful of nature’s works, and to collect them and arrange them with taste is the proper and rational purpose of art. Water, even when disposed into the formal shapes of ponds, canals, and artificial fountains, although this may be considered as the greatest violence which can be perpetrated upon nature, affords effects beautiful in themselves, and congenial with the presence of ornamented architecture and artificial gardening. Our champion, Price himself, we presume to think, rather shrinks from his ground on this particular point, and may not be willing to follow his own banner so far as we are disposed to carry it. He justifies fountains only, on the

* Price’s *Essays on the Picturesque*, vol. ii., page 135.

ground that natural *jets-d'eau*, though rare, do exist, and are among the most surprising exhibitions of nature : these, he thinks, must *therefore* be proper objects of imitation ; and since Art cannot emulate these natural fountains in greatness of style and execution, she is justified in compensating her weakness by symmetry, variety, and richness of effect. Now we are inclined, with all the devotion of reverence for Sir Uvedale Price, to dispute the ground of his doctrine on this subject, and to affirm, that whether the *geyser*, or any other natural *jet-d'eau* existed or no, the sight of a magnificent fountain, either flinging up its waters into the air and returning down in showers of mist, which make the ascending column resemble a giant in a shroud, or broken into other forms of importance and beauty, would still be a captivating spectacle ; and the tasteful veteran argues, to our fancy, much more like himself when he manfully contends, that the element of water is as fitly at the disposal of the professor of hydraulics as the solid stone is at that of the architect. It has been a long time fashionable to declaim against architectural water-works, and to ask triumphantly, what are *les eaux* of Versailles to the cataracts of the Nile and of Niagara, to the falls of Schaffhausen, or even to those of the Clyde ? The answer is ready to a question which is founded on the meanest of all tastes—that which arises from comparison. The water-works of Versailles are certainly inferior to the magnificent cascades which we have mentioned ; but we suspect they have been talked of by many authors who have never witnessed what is not now an everyday sight. Those who *have* seen that exhibition will certainly say they have witnessed a most magnificent and interesting scene, far beyond what they might have previously supposed it was within the compass of human art to produce.—We do not mean to say that the expense was altogether well laid out which was necessary to bring the waters of the Seine by the mediation of a complicated bundle of sticks, to throw *summersets* at Versailles. This is entirely a separate affair. The present question merely is, whether, the money being spent, and the water-works completed, a great example of human power over the elements has not been given, and a corresponding effect produced ? We, at least, are prepared to answer in the affirmative.

Wealth, in this, as in other respects, has proved a snare, and played 'many fantastic tricks before high heaven.' If we approve of Palladian architecture, the vases and balustrades of Vitruvius, the enriched entablatures and superb stairs of the Italian school of gardening, we must not, on this account, be construed as vindicating the paltry imitations of the Dutch, who clipped yews into monsters of every species and description, and
relieved

relieved them with the painted wooden figures which are seen much in the attitude of their owners, silent and snugly smoking at the end of the paltry walk of every *Lust-huys*. This *topiarian* art, as it was called, came into England with King William, and has left strong and very ungraceful traces behind it. The distinction betwixt the Italian and Dutch is obvious. A stone hewn into a gracefully ornamented vase or urn has a value which it did not before possess; a yew hedge clipped into a fortification is only defaced. The one is a production of art, the other a distortion of nature. Yet now that these ridiculous anomalies have fallen into general disuse, it must be acknowledged that there exist gardens, the work of Loudon, Wise, and such persons as laid out ground in the Dutch taste, which would be much better subjects for modification than for absolute destruction. Their rarity *now* entitles them to some care as a species of antiques, and unquestionably they give character to some snug, quiet, and sequestered situations, which would otherwise have no marked feature of any kind. We ourselves retain an early and pleasing recollection of the seclusion of such a scene. A small cottage, adjacent to a beautiful village, the habitation of an ancient maiden lady, was for some time our abode. It was situated in a garden of seven or eight acres, planted about the beginning of the eighteenth century by one of the Millars, related to the author of the *Gardener's Dictionary*, or, for aught we know, by himself. It was full of long straight walks betwixt hedges of yew and hornbeam, which rose tall and close on every side. There were thickets of flowering shrubs, a bower, and an arbour, to which access was obtained through a little maze of contorted walks, calling itself a labyrinth. In the centre of the bower was a splendid platanus, or oriental plane—a huge hill of leaves—one of the noblest specimens of that regularly beautiful tree which we remember to have seen. In different parts of the garden were fine ornamental trees which had attained great size, and the orchard was filled with fruit-trees of the best description. There were seats and trellis-walks, and a banqueting-house. Even in our time this little scene, intended to present a formal exhibition of vegetable beauty, was going fast to decay. The parterres of flowers were no longer watched by the quiet and simple *friends* under whose auspices they had been planted, and much of the ornament of the domain had been neglected or destroyed to increase its productive value. We visited it lately, after an absence of many years. Its air of retreat, the seclusion which its alleys afforded, was entirely gone; the huge platanus had died, like most of its kind, in the beginning of this century; the hedges were cut down, the trees stubbed up, and the whole character of the place

so much destroyed, that we were glad when we could leave it: This was the progress of innovation, perhaps of improvement: yet, for the sake of that one garden, as a place of impressive and solemn retreat, we are inclined to enter a protest against the hasty and ill-considered destruction of things which, once destroyed, cannot be restored.

We may here also notice a small place, called Barncluth, in Lanarkshire, standing on the verge of the ridgy bank which views the junction of the Evan with the Clyde. Nothing can be more romantic than the scene around: the river sweeps over a dark rugged bed of stone, overhung with trees and bushes; the ruins of the original castle of the noble family of Hamilton frown over the precipice; the oaks which crown the banks beyond those grey towers are relics of the ancient Caledonian forest, and at least a thousand years old. It might be thought that the house and garden of Barncluth, with its walks of velvet turf and its verdant alleys of yew and holly, would seem incongruous among natural scenes as magnificent as those we have described. But the effect generally produced is exactly the contrary. The place is so small, that its decorations, while they form, from their antique appearance, a singular foreground, cannot compete with, far less subdue the solemn grandeur of the view which you look down upon; and thus give the spectator the idea of a hermitage constructed in the midst of the wilderness.

Those who choose to prosecute this subject farther, will find in Sir U. Price's book his regret for the destruction of a garden on the old system, described in a tone of exquisite feeling, which leads that distinguished author to declare in favour of many parts of the old school of gardening, and to argue for the preservation of the few remains of ancient magnificence that still exist, by awakening the owner to a sense of their beauties.

It were indeed high time that some one should interfere. The garden, artificial in its structure, its shelter, its climate, and its soil, which every consideration of taste, beauty, and convenience recommended to be kept near to the mansion, and maintained, as its appendage, in the highest state of ornamental decoration which could be used with reference to the character of the house itself, has, by a strange and sweeping sentence of exile, been condemned to wear the coarsest and most humbling form. Reduced to a clumsy oblong, inclosed within four rough-built walls, and sequestered in some distant corner where it may be best concealed from the eye to which it has been rendered a nuisance, the modern garden resembles nothing so much as a convict in his gaol apparel, banished, by his very appearance, from all decent society. If the peculiarity of the proprietor's taste inclines him to the worship
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of Flora or Pomona, he must attend their rites in distance and secrecy, as if he were practising some abhorred mysteries, instead of rendering an homage which is so peculiarly united with that of the household gods.*

Such being the great change in this department of rural economy, let us next look at that which has taken place in another no less essential part of it.—The passionate fondness of our ancestors for the chase is often manifested in their choice of a residence. In an ancient inscription on the house of Wharnccliffe, we are informed that the lodge was built in Henry VIII.'s time, by one gentle knight, Sir Thomas Wortley, that he might hear the buck *bell* in the summer season,—a simple record, which speaks much to the imagination. The space of ground set apart for a park of deer must, to answer its purpose, possess the picturesque qualities which afford the greatest scope for the artist: there ought to be a variety of broken ground, of copse-wood, and of growing timber—of land, and of water. The soil and herbage must be left in its natural state; the long fern, amongst which the fawns delight to repose, must not be destroyed. In short, the stag, by nature one of the freest denizens of the forest, can only be kept under even comparative restraint, by taking care that all around him intimates a complete state of forest and wilderness. But the character of abode which is required by these noble animals of the chase is precisely the same which, from its beautiful effects of light and shadow, from its lonely and sequestered character, from the variety and intricacy of its glades, from the numerous and delightful details which it affords on every point, makes the strongest and most pleasing impression on all who are alive to natural beauty. The ancient English poets, Chaucer and Spenser in particular, never luxuriate more than when they get into a forest: by the accuracy with which they describe particular trees, and from their noticing the different characters of the different species, and the various effects of light and darkness upon the walks and glades of the forest, it is evident that they regarded woodland scenery not merely as associated with their favourite sports, but as having in itself beauties which they could appreciate, though their age was not possessed of the fascinating art of committing them to canvass. Even the common people, as we noticed in a former Article, seldom mention 'the good forest,' and 'the merry green-wood,' without some expression of fondness, arising, doubtless, from the pleasure they took in the scenes themselves, as well as in the pastimes which they afforded.

* The present Duke of Marlborough has *all but* violated this law, much to the honour of his taste, at White-Knights; and more recently, we hear, at Blenheim.

We are not, however, to suppose, that the old feudal barons made ornamental scenery any part of their study. When planting their parks, or when cutting paths and glades through them, their attention was probably entirely occupied with the protection of the deer and convenience of the huntsman. Long avenues were particularly necessary for those large parties, resembling our modern *battues*, where, the honoured guests, being stationed in fit *standings*, had an opportunity of displaying their skill in venery, by selecting the buck which was in season, and their dexterity at bringing him down with the cross-bow or long-bow; and hence all the great forests were pierced by these long rectilinear alleys which appear in old prints, and are mentioned in old books. The following description of Chantilly, by Lord Herbert of Cherbury, though the scene is in France, and on a scale of unusual grandeur and extent, is no bad picture of the domains by which the feudal nobility surrounded their castles and manor-houses, and of the dignified character of the mansions themselves.

‘A little river, descending from some higher grounds, in a country which was almost all his (the Constable de Montmorency’s) own, and falling at last upon a rock in the middle of a valley, which, to keep drawing forwards, it must on one or other side thereof have declined—some of the ancestors of the Montmorencys, to ease the river of this labour, made clear channels through this rock, to give it a free passage, dividing the rock by this means into little islands, upon which he built a great strong castle, joined together with bridges, and sumptuously furnished with hangings of silk and gold, rare pictures, and statues; all which buildings, erected as I formerly told, were encompassed about with water. . . . One might see the huge carps, pikes, and trouts, which were kept in several divisions, gliding along the waters very easily. Yet nothing, in my opinion, added so much to the glory of this castle as a forest adjoining to it, and upon a level with the house; for, being of a very large extent, and set thick both with tall trees and underwood, the whole forest, which was replenished with wild boar, stag, and roe-deer, was cut into long walks every way, so that although the dogs might follow their chase through the thickets, the huntsman might ride along the sand walks, and meet or overtake their game in some one of them, they being cut with that art that they led to all the parts in the said forest.’

Charles V., when passing through France, was so delighted with Chantilly, as to declare he would have given a province in the Low Countries to have possessed such a residence; and the reader must be exclusively prejudiced indeed to the modern system, who cannot image to himself the impression made by the gorgeous splendour of the chateau, contrasted with the wilderness of the surrounding forest.

If the reader will imagine a house in the irregular form of architecture

texture which was introduced in Elizabeth's time, its varied front, graced with projecting oriels, and its angles ornamented with turrets; its columnar chimneys, so much adorned as to make that a beauty which is generally a deformity; its fair halls, banqueting-rooms, galleries, and lodgings for interior accommodation,—it will afford no uncomfortable notion of the days of good Queen Bess. In immediate and close connexion with the mansion lie its gardens, with their terraces, urns, statues, staircases, screens, alcoves, and summer-houses; its dry paved or turfed walks, leading through a succession of interesting objects, the whole line of architecture corresponding with that of the house, with its Gothic labels and entablature, but assuming gradually a plainer and more massive character, as the grounds extended and seemed to connect themselves with the open country. The inhabitants possessed the means, we must also suppose, of escaping from this display of ostentatious splendour to the sequestered paths of a lonely chase, dark enough and extensive enough to convey the idea of a natural forest, where, as in strong contrast with the scene we have quitted, the cooing of the wood-pigeon is alone heard, where the streams find their way unconfined, and the trees spread their arms untortured by art; where all is solemn, grand, and untutored, and seems the work of unassisted nature. We would ask the reader, when he has arranged in his ideas such a dwelling, with its accompaniments, of a natural and ornamental character, not whether the style might be corrected by improving the internal arrangement of the apartments; by diminishing the superfluous ornaments of the *plaisance*; by giving better, yet not formal, access to the natural beauties of the park, extending its glades in some places, and deepening its thickets in others—for all this we willingly admit; but whether our ancestors did not possess all that good taste could demand as the materials of most delightful habitations?

The civil wars of Charles I.'s time, as they laid low many a defensible house of the preceding period, disparted and destroyed in general the chases, ridings, and forest-walks which belonged to them; and when the Restoration followed, the Cavaliers who had the good luck to retain their estates, were too poor to re-establish their deer-parks, and, perforce, contented to let Ceres reassume the land. Thus the chase or park, one of the most magnificent features of the ancient mansion, was lost in so many instances, that it could be no longer regarded as the natural and marked appendage of the seat of an English gentleman of fortune. The 'trim garden,' which could be added as easily to the suburban villa as to the sequestered country-seat, maintained its place and fashion longer; while the French taste of Charles II.'s time,
intro-

introducing *treillages* and *cabinets de verdure*, and still more, the Dutch fashion, brought in, as we have before hinted, by King William, introduced so many fantastic caprices into the ancient style, that it became necessary, as we have already hinted, to resort to the book of nature, and turn over a new leaf.

Kent, too much extolled in his life, and, perhaps, too much dispraised since his death, was the first to devise a system of laying out ground different from that which had hitherto prevailed in general, though with some variations in detail, for perhaps a century and a half. It occurred to this artist, that, instead of the marked distinction which was made by the old system between the garden and its accompaniments on the one hand, and the surrounding country on the other, it might be possible to give to the former some of the simplicity of the country, and invest that, on the other hand, with somewhat of the refinement of the garden. With this view, all, or nearly all, the ancient and domestic ornaments of the *plaisance* were placed under ban. The garden, as already noticed, was banished to as great a distance as possible; the *plaisance* was changed into a *pleasure-ground*! Down went many a trophy of old magnificence, court-yard, ornamented inclosure, foss, avenue, barbican, and every external muniment of battled wall and flanking tower, out of the midst of which the ancient dome rising high above all its characteristic accompaniments, and seemingly girt round by its appropriate defences, which again circled each other in their different gradations, looked, as it should, the queen and mistress of the surrounding country. It was thus that the huge old tower of Glamis, 'whose birth tradition notes not,' once showed its lordly head above seven circles (if we recollect aright) of defensive boundaries, through which the friendly guest was admitted, and at each of which a suspicious person was unquestionably put to his answer. A disciple of Kent had the cruelty to render this splendid old mansion, the more modern part of which was the work of Inigo Jones, more *parkish*, as he was pleased to call it; to raze all those exterior defences, and bring his mean and paltry gravel-walk up to the very door from which, deluded by the name, one might have imagined Lady Macbeth (with the form and features of Siddons) issuing forth to receive King Duncan. It is thirty years and upwards since we have seen Glamis; but we have not yet forgotten or forgiven the atrocity which, under pretence of improvement, deprived that lordly place of all its appropriate accompaniments,

'Leaving an ancient dome and towers like these
Beggared and outraged.'

The

The ruling principle that dictated Kent's innovations was in itself excellent. The improver was considered as a painter, the landscape as the canvass on which, with such materials as he possessed, he was to display his power. Thus far the conception was laudable; and, indeed, it had already occurred to Sir John Vanbrugh, when consulted about laying out the grounds at Blenheim, who recommended to the Duke of Marlborough to advise with a landscape-painter upon that subject, as the most competent judge. Had Kent but approached in execution the principle which he adopted in theory, he would have been in reality the great man that his admirers accounted him. But, unhappily, though an artist by profession, this father of the English landscape was tame and cold of spirit; his experience had not made him acquainted with the grander scenes of nature, or the poverty of his soul had not enabled him to comprehend and relish them. Even the Nature whom he pretended to choose for his exclusive guide seemed to have most provokingly disappeared from him. By the time that spades, mattocks, and pickaxes had formed and sloped his declivities in the regular and undulating line which he required,—that the water's edge had been trimly bordered with that thin, lank grass, which grows on a new sown lawn, and has so little resemblance to the luxuriant vegetation of nature,—his meagre and unvaried slopes were deprived of all pretension to a natural appearance, as much as the toes which were pinched, squeezed, and pared that they might be screwed into the little glass slipper, were different from the graceful fairy foot which it fitted without effort. Thus, while Kent's system banished Art from the province which might, in some degree, be considered as her own, he introduced her into that more especially devoted to Nature, and in which the character of her exertions always made her presence offensively conspicuous. For water-works and architectural ornaments, the professed productions of art, Kent produced *ha-has!* sheets of artificial water, formal clumps and belts of trees, and bare expanded flats or slopes of shaven grass, which, indicating the recent use of the levelling spade and roller, have no more resemblance to that nature which we desire to see imitated, than the rouge of an antiquated coquette, bearing all the marks of a sedulous toilette, bears to the artless blush of a cottage girl. His style is not simplicity, but affectation labouring to seem simple.

It is worth notice, that, while exploding the nuisance of graven images in the ancient and elaborate gardens, Kent, like some of the kings of Israel, though partly a reformer, could not altogether wean himself from every species of idolatry. He swept, indeed, the

the gardens clear of every representation of mythology, and the visitor's admiration was no longer excited by beholding

‘ Statues growing that noble place in,
All heathen goddesses most rare,
Homer, Plutarch, and Nebuchadnezzar,
All standing naked in the open air.’

But to make amends for their ejection, Kent and his followers had temples, obelisks, and gazabos of every description in the park, all stuck about on their respective high places, with as little meaning, and at least as little pretension to propriety, as the horticultural Pantheon which had been turned out of doors.

The taste for this species of simplicity spread far and wide. Browne, the successor of Kent, followed in his footsteps; but his conceptions, to judge from the piece of artificial water at Blenheim, (formed, we believe, chiefly to blunt the point of an ill-natured epigram,) were more magnificent than those of his predecessor. We cannot, however, suppose old Father Thames so irritable as this celebrated professor intimated, when he declared that the river would never forgive him for having given him so formidable a rival.

The school of spade and mattock flourished the more, as it was a thriving occupation, when the projector was retained to superintend his improvements—which seldom failed to include some forcible alteration on the face of nature. The vanity of some capability-men dictated those violent changes which were recommended chiefly by the cupidity of others. While the higher-feeling class were desirous, by the introduction of a lake, the filling up a hollow, or the elevation of a knoll, to show to all the world that Mr. — had laid out those grounds; the meaner brothers of the trade were covetous of sharing the very considerable sums which must be expended in making such alterations. Mannerists they were to the extremity of monotony, and what they extolled as new and striking, was frequently only some trick of affectation. For example, a pupil of Browne, Robertson by name, laid out the grounds of Duddingstone, near Edinburgh. The place was flat, though surrounded by many distinguished features. A brook flowed through the grounds, which, by dint of successive dam-heads, was arrested in its progress, twisted into the links of a string of pork-sausages, flung over a stone embankment, and taught to stagnate in a lake with islets, and swans *quantum sufficit*. The whole demesne was surrounded by a belt, which now, at the distance of forty or fifty years, is still a formal circuit of dwindled trees. It was to be expected that some advantage might have been gained by looking out from some point of the grounds on Craigmillar Castle, a ruin beautiful

beautiful in its form and interesting in its combinations with Scottish history; and the professor of landscape-gardening was asked, why so obvious a resource had not been made something of? He replied, with the gravity becoming such a character, that Craigmillar, seen over all the country, was a common prostitute. A less ludicrous, though equally nonsensical reason, for excluding Duddingstone Loch, a small and picturesque lake, was, that it did not fall within his lordship's property, and the mountain of Arthur's Seat was not excluded, only because it was too bulky to be kept out of sight. We have heard the excellent old Lord Abercorn mention these circumstances with hearty ridicule; but he suffered Mr. Robertson to take his own way, because, he said, every man must be supposed to understand his own business,—and partly, we may add, because he did not choose to take the trouble of disputing the point. Yet this Mr. Robertson was a man of considerable taste and acquirement, and was only unsuccessful because he wrought upon a bad system.

The founders of a better school, were the late Mr. Payne Knight, and Sir Uvedale Price, who still survives to enjoy the triumph he has achieved. These champions, and particularly Price, succeeded in demonstrating to a deceived public, that what had been palmed upon them as nature and simplicity were only formality and affectation; the contest on behalf of the new system was chiefly maintained by Mr. Repton, and in a manner which shows that the private feelings of that layer out of grounds, unquestionably a man of very considerable talents, were more than half converted to the opinions of Sir Uvedale, and that he was disputing rather to save his own honour, and that of his brethren, than for any chance of actual victory. In fact, we do not much overstate the matter when we allege, that those who were least willing to own that Price was right, because it would have been a virtual acknowledgment that they themselves were wrong, were among the first to admit in practice the principles which he recommended, or, at least, to make use of them, whether they admitted them or no. There has been, since this controversy, that is, for these thirty years past, a considerable and marked improvement in laying out of pleasure-grounds—the spade and shovel have been less in use—the straight-waist-coating of brooks has been less rigorously enforced; and improvers, while talking of Nature, have not so remorselessly shut her out of doors. We believe most landscape-gardeners of the present day would take a pride in preserving scenery, which their masters of the last age would have made conscience to destroy. The mummery of temples and obelisks is abolished, while the propriety of retaining every shred connected with history or anti-

quity,

quity, is, in one system at least, religiously preserved. In such cases,

‘A corner-stone by lightning cut,
The threshold of a cottage hut,’

may have their value. The same rule is, we trust, generally observed in the scenes which Nature has herself ornamented; and the artist holds himself discharged, if he consults and observes her movements without affecting to dictate to or control them. Those glens, groves, or mountains, which she has marked with a peculiar character, are no longer defaced by the impotent endeavours of man to erase it.

The tendency of our national taste indeed has been changed, in almost every particular, from that which was meagre, formal, and poor, and has attained, comparatively speaking, a character of richness, variety, and solidity. An ordinary chair, in the most ordinary parlour, has now something of an antique cast—something of Grecian massiveness, at once, and elegance in its forms. That of twenty or thirty years since was mounted on four tapering and tottering legs, resembling four tobacco-pipes; the present supporters of our stools have a curule air, curve outwards behind, and give a comfortable idea of stability to the weighty aristocrat or ponderous burgher who is about to occupy one of them. The same change in taste may be remarked out of doors, where, from the total absence of ornament, we are, perhaps, once more verging to its excess, and exhibiting such a tendency to ornament, in architecture and decoration, that the age may, we suspect, be nothing the worse for being reminded that, as naked poverty is not simplicity, so fantastic profusion of ornament is not good taste.

But in our landscape-gardening, as it has been rather unhappily called, although the best professors of the art have tacitly adopted the more enlarged and liberal views of their art provided by the late Mr. Knight and Sir U. Price, these are not, perhaps, so generally received and practised as could be desired. We say the art has been unfortunately named. The idea of its being, after all, a variety of the gardening art, with which it has little or nothing to do, has given a mechanical turn to the whole profession, and certainly encouraged many persons to practise it, with no greater qualifications than ought to be found in a tolerably skilful gardener. This certainly, however intelligent and respectable the individuals may be, is not the sort of person, in point of taste and information, to whom we would wish to see the arrangement of great places intrusted. The degree of mechanical skill which they possess may render them adequate to the execution of plans arranged by men of more comprehensive abilities, better education, and a possession, as demanded by

Price,

Price, of the knowledge connected with the higher branch of landscape-painting, and with the works of the first masters. Far from threatening the disposers of actual scenery with an abrogation of their profession, as was unjustly stated to be his object, Price's system went to demand from them a degree of scientific knowledge not previously required, and to elevate in proportion their rank and profession in general estimation.

The importance of this art, in its more elegant branches, ranks so high in our opinion, that we would willingly see its profession (and certainly it contains persons worthy of such honour) more closely united with the fine arts than it can now be esteemed. The improvers or layers out of ground would, in that case, be entitled to demand from their employers a greater degree of fair play than is, in many cases, allowed them at present. According to the common process, their time is estimated at a certain number of guineas per day, and the party consulting them is not unnaturally interested in getting as much out of the professor within as little time as can possibly be achieved. The landscape-gardener is, therefore, trotted over the grounds two, three, or four times, and called upon to decide upon points which a proprietor himself would hesitate to determine, unless he were to visit the ground in different lights, and at different seasons, and various times of the day during the course of a year. This leads to a degree of precipitation on the part of the artist, who knows his remuneration will be grudged, unless he makes some striking and notable alteration, yet has little or no time allowed him to judge what that alteration ought to be. Hence, men of taste and genius are reduced to act at random; hence an habitual disregard of the *genius loci*, and a proportional degree of confidence in a set of general rules, influencing their own practice, so that they do not receive from nature the impression of what the place ought to be, but impress on nature, at a venture, the stamp, manner, or character of their own practice, as a mechanic puts the same mark on all the goods which pass through his hands. Some practise the art, we are aware, upon a much more liberal footing:—it is on that more liberal footing that we would wish to see the profession of the improver generally practised. We would have the higher professors of this noble art to be that for which nature has qualified some of them whom we have known, and, doubtless, many to whose characters we are strangers—we mean, to be physicians—liberally recompensed for their general advice—not apothecaries, to be paid in proportion to the drugs which they can contrive to make the patient swallow.

It may, perhaps, be thought that, by the change we propose,
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pose, we would raise too high a standard for such artists as might attain great proficiency in their calling, and so limit the benefit of their efforts to the great and the wealthy. This would be a consequence far from answering our purpose—but we have no apprehension that it would follow. The rules of good taste, when once exemplified, are pretty sure to be followed. Let any one recollect the atrocious forms of our ordinary crockery and potter's ware forty years since, when the shapes were as vilely deformed as that of the pipkin which cost Robinson Crusoe so much trouble; and observe the difference since the classical outlines of the Etruscan vases have been adopted as models for our Staffordshire ware. Every form before was detestable, whatever pains might have been bestowed in the ornamenting and finishing: whereas, since the models introduced by Messrs. Wedgwood, the most ordinary earthenware is rendered pleasing to the eye, however coarse its substance, and mean the purpose for which it is designed. It is thus with good taste in every department. It cannot be established by canons and *dicta*, but must be left to force its way gradually through example. A certain number of real landscapes, executed by men adequate to set the example of a new school, which shall reject the tame and pedantic rules of Kent and Brown, without affecting the grotesque or fantastic—who shall bring back more ornament into the garden, and introduce a bolder, wilder, and more natural character into the park, will have the effect of awakening a general spirit of emulation. There are thousands of proprietors who have neither scenes capable of exhibiting the perfection of the art, nor revenues necessary to reimburse the most perfect of the artists, but who may catch the principle on which improvers ought to proceed, and render a place pretty though it cannot be grand, or comfortable though it cannot aspire to beauty.

We are called at present from the general subject, to which, at some future period, we may, perhaps, return, by the duty of noticing a discovery, as it may be called, of one of the most powerful and speedy means of effecting a general and most interesting change in the face of nature, for the purpose of ornamenting the vicinity of a gentleman's residence.

The three materials with which the rural designer must go to work—the colours, in other words, of which his landscape must be composed, are earth, water, and trees. Little change can be attempted, by means of digging away, or heaping together earth: the levelling of rising grounds, or the raising artificial hillocks, only serves to show that man has attempted what is beyond his powers. Water is more manageable, and there are places where *artificial lakes and rivers* have been formed with considerable effect.

effect. Of this our author, Sir Henry Steuart, has given a very pleasing instance in his own park. But, to speak generally, this alteration requires very considerable advantages in the previous situation of the ground, and has only been splendidly successful, where Nature herself had formerly designed a lake, though the water had escaped from its bed by the gradual lowering or sudden bursting of the banks at the lower end. These being replaced by a dam-head, the lake will be restored to its bed, and man will only have brought back the state of the landscape to that which nature originally presented. But, we doubt if even the ingenious process recommended by Sir U. Price would satisfy his own just and correct taste, when carried into execution; and we are, at any rate, confident that it is only in rare instances, and at considerable expense, that artificial water can be formed with the desired effect.

Trees, therefore, remain the proper and most manageable material of picturesque improvement; and as trees and bushes can be raised almost anywhere—as by their presence they not only delight the eye, with their various forms and colours, but benefit the soil by their falling leaves, and improve the climate by their shelter, there is scarcely any property fitted for human habitation so utterly hopeless, as not to be rendered agreeable by extensive and judicious plantations. But, to obtain the immediate command of wood, mature enough to serve as shade, shelter, and ornament, has been hitherto denied to the improver. He has been compelled to form his plan while his plants are pigmies; to await their slow progress towards maturity; and to bequeath as a legacy to his successors and descendants the pleasure of witnessing the full accomplishment of his hopes and wishes. He also frequently bequeaths his land to the care of careless or ignorant successors, who from want of taste or skill leave his purposes unfulfilled.

Repton, indeed, has justly urged, in favour of the plans of Kent and Brown, that the formal belts and clumps which they planted were intended only to encourage the rise of the young plantations, which were afterwards to be thinned out into varied and picturesque forms, but which have, in many instances, been left in the same crowded condition and formal disposition which they exhibited at their being first planted. If the school of Kent and Brown were liable to be thus baffled by the negligence of those to whom the joint execution of their plans was necessarily intrusted, a much greater failure may be expected during the subsequent generation, from the neglect of plans which affect to be laid out on the principles of Price. We have already stated, that it is to be apprehended that a taste for the fantastic will supersede that which the last age have entertained in favour of the formal. We have seen various efforts, by artists of dif-

ferent degrees of taste and eminence, to form plantations which are designed at some future day to represent the wild outline and picturesque glades of a natural wood. When the line of these is dictated by the character of the ground, such attempts are extremely pleasing and tasteful. But when a bizarre and extravagant irregularity of outline is introduced upon a plain or rising ground, when its whole involutions resemble the irregular flourishes of Corporal Trim's harangue, and when we are told that this is designed to be one day a picturesque plantation, we are tempted to recollect the common tale of the German baron, who endeavoured to imitate the liveliness of Parisian society by jumping over stools, tables, and chairs in his own apartment, and when the other inhabitants of the hotel came to enquire the cause of the disturbance, answered them with the explanation, *Sh'apprends d'estre fif*. If the visitor applies to know the meaning of the angles and contortions introduced into the lines of the proposed plantations, in Petrucchio's language—

‘What! up and down, carv'd like an apple tart;
Here's snip, and nip, and cut, and slish, and slash,
Like to a censer in a barber's shop'——

he receives the plausible reply, that what he now sees is not the final result of the designer's art, but that all this fantastic zig-zag-gery, which resembles the traces left by a dog scampering through snow, is but a set of preparations for introducing at a future period, as the trees shall come to maturity, those groups and glades, that advancing and retiring of the woodland scene, which will realize the effects demanded by lovers of the picturesque. At present we are told, that the scene resembles a lady's tresses in *papillotes*, as they are called, and in training for the conquests which they are to make when combed into becoming ringlets. But, alas! art is in the department peculiarly tedious, and life, as in all cases, precarious and short. How many of these *papillotes* will never be removed at all, and remain unthinned-out, like the clumps and belts of Browne's school, disfiguring the scenes they were designed to adorn.

This has been hitherto the main obstruction to the art of laying out ground, that no artist could hope to see the perfection of his own labours; nay, the pleasure of superintending their progress till the effect begins to appear, is granted but to those who live long, or who commence their improvements early in life. The ambition of man has not remained passively quiescent under this restriction of his powers, and since the days of Sultan Ahmed in the Tales of the Genii, down to the present time, various efforts have been made by different means, and under various circumstances, to transfer trees in a considerable state of maturity to
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the park or pleasure-ground, and apply them to the composition or improvement of real landscapes. The modes essayed may probably have been successful, in some instances, where the operation has been peculiarly favoured by circumstances ; but, in general, the result has been fruitless expense and disappointment. The practice has been, therefore, latterly considered as, in a great measure, empirical, so slight were the chances of success. Millar dissuades his readers from the attempt ; and Mr. Pontey judiciously considers the mutilated and decaying trees on which the experiment had been made, rather as a deformity than a beauty to the landscape. It was even denied that any real advance was gained by transplanting a tree of ten years old, and it was averred (and truly, according to the ordinary practice) that a plant from the nursery, placed beside it, would, in the course of a few years, form by far the finer tree of the two.

Nevertheless, the obstacles which have been so long considered as insuperable, have given way, in our own time, before the courage, patience, and skill of an individual, who has been enabled, with a success which appears almost marvellous, to cover a whole park at once with groups and single trees, combined with copse and underwood of various sizes, all disposed with exquisite taste. This accomplished person, Sir Henry Steuart of Allanton, is known to the literary world by an elaborate translation of *Salust*, accompanied with a body of notes intimating an uncommon degree of general knowledge and classical learning. Independent in circumstances, and attached by taste and habits to rural pursuits, and especially those of which we have been treating, Sir Henry has resided chiefly at the seat of his ancestors, to which, little distinguished by nature, his wonderful exertions have given, within a comparatively short period of time, all that could, according to the usual mode of improvement, have been conferred in the course of forty tedious years.

Allanton, an ancient possession of this branch of the house of Steuart, had not originally much to recommend it to the owner, except its recollections. Situated in the county of Lanark, it is removed from the vale of the Clyde, which presents such beautiful scenery to the eye of the traveller. The soil is moorish, and the view from the front of the house must, before it was clothed with wood, have consisted in irregular swells and slopes, presenting certainly no striking features either of grandeur or beauty,—probably ‘just not ugly.’ But fortune, that con-signed a man of taste and observation to a spot which was not peculiarly favourable to his pursuits, gave him the power of indemnifying himself, by compelling nature to impart to his domain no inconsiderable portion of those sylvan beauties with which she
has

has spontaneously invested more favourite scenes ; and we certainly cannot hesitate to avow our opinion, that the park of Allanton, as it now appears, its history being duly considered, is as well worthy of a pilgrimage as any of the established lions of the North Countree.'

We cannot be surprised, nor ought Sir Henry Steuart to be offended, if the wonder excited by so great a triumph of art over nature, in a process which has been thought and found so extremely difficult, should be, on the first view, mingled with some incredulity. It is natural for the reader to suspect, that the zeal of the theorist may, in some degree, have imposed on the improver, and that he communicates to the public observations which he himself has made under a species of self-deception, and which are, perhaps, a little exaggerated in his account of their results. But Allanton has been visited by many intelligent judges, disposed to inquire with sufficient minuteness into the reality of the changes which have been effected there ; and so far as we have had an opportunity of knowing, the uniform testimony of those visitors corresponds with the account given by Sir Henry Steuart himself.

A committee of gentlemen* deputed by the Scottish Highland Society, supposed to be well acquainted with country matters, and particularly with the management of plantations, visited the place in September, 1823. Their report embraces three principal objects of inquiry: 1st, The single trees and open groups on the lawn, which have suffered the operation of transplanting. Of this description, birch, ash, wyche, or Scotch elm, sycamore, lime, horse-chestnut, all of which having been, at one time or other, subjects of transplantation, were growing with vigour and luxuriance, and in the most exposed situations, making shoots of eighteen inches. The trees were of various sizes. Some, which had been transplanted some years since, were from thirty to forty feet high, or more. The girth of the largest was from five feet three to five feet eight inches, at a foot and a half from the ground. Other trees, which had been only six months transplanted, were from twenty to thirty feet high ; and the gentlemen of the committee ascertained their girth to be about two feet and a half, or three feet, at eighteen inches from the ground. These trees were in every respect flourishing, but their leaves were perceptibly smaller than those of the trees around them, a difference which ceases to exist in the second, or at furthest the third, year after transplantation. Upon the whole, the committee were satisfied, first, with the singularly beautiful shape and symmetry of the trees ; secondly, with their

* The Lord Bellhaven, Sir Archibald Campbell, of Succoth, Bart., Sir Walter Scott, of Abbotsford, Bart., George Cranstoun, Esq., now Lord Corehouse, Alexander Young, Esq., of Harburn.

health and vigour, as they showed no decayed boughs or twigs, the usual consequence of transplantation under other systems; thirdly, with their upright and even position, though set out singly and in exposed situations without any adventitious support. Thus the single trees possessed all the advantages which the proprietor could desire in the qualities of beauty, health, and stability.

The second branch of the committee's inquiry related to enclosed groups, or masses of wood planted close together. There are several of these in the park, which correspond and occasionally contrast pleasingly with the open groups and single trees already observed. The committee particularly describe one of these close masses, intended as a screen to the approach. It had been clothed with wood in the course of one season by means of the transplanting system, trees from twenty to thirty feet high being first planted as standard or grove-wood, about twenty feet apart, and the intervals filled up with bushes or stools of copse or underwood. The standard trees being in this mass sheltered by each other, made larger shoots than those which stood singly, and the underwood of oak, birch, holly, mountain-ash, horse-chestnut, common and Canadian birdcherry, and other species usually found in a natural wood, were making luxuriant progress in their new situation. And though it was but five years since this copse, interspersed with standard trees, had been formed by Sir Henry, his visitors assigned no less a space than from thirty to forty years as the probable time in which such a screen could have been formed by ordinary means. From the facts which they witnessed, the committee reported it as their unanimous opinion, that the *art of transplantation, as practised by Sir Henry Stewart, is calculated to accelerate, in an extraordinary degree, the power of raising wood, whether for beauty or shelter.* They added, that of all the trees they had examined, one alone seemed to have failed; and that, being particularly intent on this point of inquiry, they had looked closely for symptoms of any dead tree having been removed, without being able to discover any such, although the traces of such a process could not have escaped their notice had they existed.

The existence of the wonders—so we may call them—which Sir Henry Stewart has effected, being thus supported by the unexceptionable evidence of competent judges, what lover of natural beauty can fail to be interested in his own detailed account of the mode by which he has been able to make wings for time, and anticipate the operation of years so as altogether to overthrow the authority of the old saying:—

‘Heu! male transfertur senio cum induruit arbor?’

It is the object of the present publication to give in full detail the measures employed by the author to anticipate in such a wonderful manner the march of time, and to force as it were his woodlands in somewhat the same manner as the domestic gardener forces his fruits; and the information which the work affords is as full and explicit concerning the theory upon which our author has proceeded as upon the practical points necessary to carry that theory into effect. Sir Henry Steuart's method of transplantation is (as might have been expected from a scholar and philosopher) founded upon the strictest attention to vegetable physiology, as ascertained by consulting the best authors; and the rationale which he assigns as the cause of his success is not less deserving of strict attention, than the practical results which he has exhibited.

Sir Henry Steuart's first general proposition on the subject of transplantation will be conceded to him at once, although, in practice, we have known it most grossly neglected. It amounts simply to the averment, that success cannot be expected unless upon principles of selection; determining the subject to be transplanted with relation to the soil that it is to be transferred to. All will grant in theory that every plant has its soil and subsoil, to which it is particularly adapted and where it will luxuriate, whereas in others it can scarce make shift to exist; yet the planter or the transplanter, nine times in ten, neglects this necessity of suiting his trees to the soil, and is at the expense of placing the trees which chance to be his favourites indiscriminately upon every soil. Sir H. Steuart has largely and conclusively illustrated this matter; and henceforth it may be held as a positive rule, that there can be little hope of a transplanted tree thriving unless it be removed to a soil congenial to its nature, and that it will become every planter to bestow the same care in selecting the *species* of his trees that a farmer fails not to use in adapting his crops to the soil of his farm. But there is a second principle of selection, no less necessary to be attended to, and which respects *the condition and properties of the individual trees* suited for transplantation. This requires to be considered more in detail.

It is familiar to all acquainted with plantations, (although the honour belongs exclusively to Sir Henry Steuart of having deduced the natural consequences,) that the constant and uninterrupted action of the external air on a tree which stands completely exposed to it, gives that tree a habit, character, and properties entirely different, and, in many respects, directly opposite to those acquired by one of the same species which has grown in absolute shelter, whose energies have exerted themselves in a different manner and for a different purpose, and have, therefore, made

made a most material difference in the attributes and constitution of the plant.

We must suppose that our reader has some general acquaintance with the circulation of the sap in trees, being the substance by which they are nourished, and resembling, in that respect, the chyle in the human system. This nutritive substance is collected by the roots with those fibres which form their terminations, and which, with a degree of address which seems almost sentient, travel in every direction, and with unerring skill, to seek those substances in the soil best qualified to supply the nourishment which it is their business to convey. The juice, or sap, thus extracted from the soil, is drawn up the tree by the efforts of vegetation, each branch and each leaf serving, by its demand for nourishment, as a kind of forcing-pump, to suck the juice up to the topmost shoot, to extend it to all the branches, and, in a healthy tree, to the extremity of each shoot. The roots, in other words, are the providers of the aliment; the branches, shoots, and leaves are the appetite of the tree, which induce it to consume the food thus supplied to it. The analogy holds good betwixt the vegetable and animal world. If the roots of a tree are injured, or do not receive the necessary supplies of nourishment, the tree must perish, like an animal unsupplied with food, whatever be the power of the appetite in one case, and of the vegetation in the other, to consume the nutritive substance, if it could be procured. This is dying by hunger. If, on the other hand, the powers of vegetation are in any respect injured, and the tree, either from natural decline, from severe amputation, or from any other cause, ceases to supply those shoots and leaves which suck the sap up into the system, then the tree dies of a decay in the powers of digestion.

But the tree, like the animal, is not nourished by food alone; air is also necessary to it. If this be supplied in such extreme quantities as is usual in exposed situations, the trees will suffer from the action of the cold, like a man in an inclement climate, where he is, indeed, furnished with enough of pure air, but where the cold that attends it deranges his organic system. In like manner, when placed in a situation where air is excluded, both the vegetable and the animal are reduced to a state of suffocation equally fatal to their health, and, at a certain period, to their existence. Both productions of nature have, however, their resources;—the animal, exposed to a painful and injurious degree of cold, seeks shelter; man, however often condemned to face the extremity of cold, supplies his want of warmth by artificial clothing; and the inferior animals in the polar latitudes, on the Himalaya
mountains.

mountains, and so forth, are furnished by nature with an additional thickness of furs, which would be useless in warmer regions.* Trees placed in an exposed situation have also their resources;—the object being to protect the sap-vessels, which transmit nutriment, and which lie betwixt the wood and the bark, the tree never fails to throw out, and especially on the side most exposed to the blast, a thick coating of bark, designed to protect, and which effectually does protect, the sap-vessels and the process of circulation to which they are adapted, from the injury which necessarily must otherwise ensue. Again, if the animal is in danger of suffocation from want of vital air, instead of starving by being exposed to its unqualified rigour, instinct or reason directs the sufferer to approach those apertures through which any supply of that necessary of human life can be attained, and induces man, at the same time, to free himself from any coverings which may be rendered oppressive by the state in which he finds himself. Now it may be easily proved, that a similar instinct to that which induced the unfortunate sufferers in the black-hole of Calcutta to struggle with the last efforts to approach the solitary aperture which admitted air to their dungeon, and to throw from them their garments, in order to encourage the exertions which nature made to relieve herself by perspiration, is proper, also, to the noblest of the vegetable tribe. Look at a wood or plantation which has not been duly thinned:—the trees which exist will be seen drawn up to poles, with narrow and scanty tops, endeavouring to make their way towards such openings to the sky as might permit the access of light and air. If entirely precluded by the boughs which have closed over them, the weaker plants will be found strangely distorted by attempts to get out at a side of the plantation; and finally, if overpowered in these attempts by the obstacles opposed to them, they inevitably perish. As men throw aside their garments, influenced by a close situation, trees placed in similar circumstances, exhibit a bark thin and beautifully green and succulent, entirely divested of that thick, coarse, protecting substance which covers the sap-vessels in an exposed position.

Another equally curious difference betwixt trees which have stood in exposed situations and those which have grown in such as are sheltered, is also so reasonable in appearance as to seem the act of volition, so curiously do the endeavours of nature in the vegetable world correspond with the instinct of animals and the reason of mankind. Man and beast make use of the position of their limbs to steady themselves against the storm, although, as their exposure to it is only temporary, the exertion bears the

* The reader is referred to Bishop Heber's travels in India for some most interesting details on this subject. same

same character: but trees, incapable of locomotion, assume, when placed in an exposed situation, a permanent set of self-protecting qualities, and become extremely different in the disposition of the trunk, roots, and branches, from those of the same species which remain in the shelter of crowded plantations. The stem of trees in an exposed situation is always short and thick, because, being surrounded by air and light all around, the tree has not the motive to *rush* up towards the free air which is so strongly perceptible in close woods. For the same reason, its branches are thrown widely out in every direction, as if to balance itself against the storm, and to obtain, from the disposition of its parts, a power of resistance which may supply the place of the shelter enjoyed by plants more favourably situated. The roots of such trees, which are always correlative to the branches, are augmented in proportion as necessity obliges the former to extend themselves.

There is a singular and beautiful process of action and reaction which takes place betwixt the progress of the roots and of the branches. The latter must, by their vigour and numbers, stretch out under ground before the branches can develop themselves in the air; and, on the other hand, it is necessary that the branches so develop themselves, to give employment to the roots, in collecting food. There is a system of close commerce between them; if either fail in discharging their part, the other must suffer in proportion. The increase of the branches, therefore, in exposed trees is and must be in proportion with that of the roots, and *vice versa*; and as the exposed tree spreads its branches on every side to balance itself against the wind, as it shortens its stem or trunk, to afford the mechanical force of the tempest a shorter lever to act upon, so numerous and strong roots spread themselves under ground, by way of anchorage, to an extent and in a manner unknown to sheltered trees.

These facts afford the principles on which our author selects the subjects of his operations. It may seem a simple proposition, that to succeed in the removal of a large tree to an open situation, the operator ought to choose one which, having grown up in a similar degree of exposure, has provided itself with those qualities which are peculiarly fitted for it. Every one will be ready to acknowledge its truth at the first statement; but Sir Henry has been the first to act upon it; and, having ascertained its accuracy, to communicate it to the world. It is Columbus making the egg stand upright.

Our author has enumerated four properties which nature has taught trees that stand unsheltered to acquire by their own efforts, in order to suit themselves for their situation. *First*, thickness and induration

induration of bark; *secondly*, shortness and girth of stem; *thirdly*, numerousness of roots and fibres; and *fourthly*, extent, balance, and closeness of branches. These, Sir Henry has denominated the four protecting qualities; and he has proved, by a very plain and practical system of reasoning, founded upon an intimate acquaintance with the most distinguished writers on vegetable physiology, that in proportion as the subject for transplantation is possessed of these four qualities, in the same degree it is fitted to encounter exposure as a single tree in its new position.

The characteristics of the trees which have grown in sheltered and warm situations are precisely the opposite of these; their bark is thin, glossy, and fresh-looking, without any of the rough, indurated substance necessary to protect the sap-vessels when exposed to the extremity of cold; the stem is tall, and slender, as drawn upwards in quest of light; the tops are small and thinly provided with branches, because they have not had the necessary room to expand themselves; and, lastly, the roots are spare and scanty. Sir Henry Stuart says, that a tree, in the situation, and bearing the character last described, is possessed of the 'non-protecting properties.' A great coat, and a pair of overalls or mud-boots, may be called, with propriety, the protecting properties of a man who mounts his steed in rough weather; but he who sits at home, in a night-gown and slippers, can hardly be said to possess any non-protective qualities, or anything, except a negation of the habiliments which invest his out-of-doors friend. We will not, however, disturb the subject by cavilling about expressions; it is enough that the reader understands that the presence of the 'non-protecting qualities' implies the total absence of those which render trees fit to endure the process of transplantation.

Yet, though this principle of selection be, when once stated, so very satisfactory, it is no less certain, that no preceding author had so much as glanced at it; and that convenience, the usual, though by no means the safe guide of planting operations, has pointed out an entirely different course. Young woods, being usually planted far too thickly with hard-wood,—or, in other words, the principals being in too great a proportion to the firs intended as nurses,—are found, after the lapse of twelve or fourteen years, to be crowded with tall, shapely plants, which have not room to grow, and are obviously damaging each other. The consequence of this is, that the proprietor, unwilling to lose so many thriving plants, is very often tempted, by the healthiness of their appearance, to select them as subjects for transplantation. Their graceful and lengthened stems, and smooth and beautiful bark, seem to be marks of health, (as, indeed, they are, while they

they remain in the shelter for which they are qualified,) and the thinness of their heads will, it is supposed, prevent their suffering much by the wind. But almost all such attempts prove abortive. The tree comes, indeed, into leaf, for one year, as some trees (the ash particularly) will do, if cut down and carried to the wood-yard. But the next year the transplanted tree displays symptoms of decay. The leaves do not appear in strength and numbers enough to carry the sap to the ends of the branches; the stem becomes covered with a number of small sprays, which at once indicate that the sap has been arrested in its progress, and that the tree is making a desperate, we had almost said an unnatural, effort to avail itself of the nutriment in the stem, which it cannot transfer to the branches; the bark becomes dry, hide-bound, and mossed; the projecting branches wither down to the stem and must be cut off; and, after all, the young tree either dies utterly, or dwindles into a bush, which, perhaps, may recover elevation, and the power of vegetation, after a pause of ten or twelve years, but more likely is stubbed up as a melancholy and disagreeable object. This grand and leading error is avoided in the Allanton system, by the selection, from the beginning, of such trees as, having grown in an exposed situation, are provided with the protecting properties, and can, therefore, experience no rude change of atmosphere or habits by the change of place to which they are subjected.

But it may be asked, where is the planter to find such trees as are proper for being transplanted? Our author replies, that there are few properties, however small in extent, or unimproved by plantations, which do not possess some subjects endowed, perfectly or nearly so, with the protecting qualities. The open groves, and scattered trees around old cottages, or in old hedge-rows—where not raised upon an embankment, which gives the roots a determination downwards—are invaluable to the transplanter. They are already inured to the climate, and furnished with a quantity of branches and roots,—they possess the limited length and solidity of stem and the quality of bark necessary to enable them to endure exposure,—in other words, they are fit for being immediately transplanted. In most cases, however, the trees may have but partially gained the protecting qualities; and where such subjects occur, they must, by training, be made to complete the acquisition of them. The process to which they are subjected is various, according to the special protecting quality in which the tree is deficient. In general, and especially where the bark appears of too fine and thin a texture to protect the sap-vessels, a gradual and, in the end, a free exposure to the elements, induces the trees selected fully to assume the properties which enable

enable them to dispense with shelter. If, on the other hand, the bark is of a hardy quality, and the branches in sufficient number, but the *roots* scanty and deficient—the tree ought to be cut round with a trench, of thirty inches deep, leaving only two or three strong roots uncut, to act as stays against the wind. The earth is then returned into the trench, and when taken up at the end of two or three years, with the purpose of final removal, it will be found that the roots have formed, at the points where they were severed, numbers of tassels (so to speak) composed of slender fibres, which must be taken the greatest care of at the time of removal, and will be found completely to supply the original deficiency of roots. Again, if the *branches* of the subject pitched upon be in an unfavourable state, this evil may be counteracted by a top-dressing of marl and compost, mixed with four times the quantity of tolerable soil, spread around the stem of the tree, at four feet distance. This mode Sir Henry Steuart recommends as superior to that of disturbing the roots, as practised in gardens for the same purpose of encouraging the growth of fruit-trees; and assures us, that the increase, both of the branches and roots, will be much forwarded, and that the tree will be fit for removal in the third year.

These modes of preparing individual trees are attended with some expense and difficulty; but here again the experience of Sir Henry Steuart suggests a plan, by which any proprietor desirous to carry on the process upon a considerable scale, may, by preparing a number of subjects at once, greatly accelerate the time of commencing his operations, at an expense considerably less than would attach to the preparation of each tree separately. The grounds of Allanton had been, about forty years ago, ornamented with a belt and clumps, by a pupil of Browne. Sir Henry found in both, but especially in the clumps, the means of obtaining subjects in sufficient number and quantity for his own purposes. The ground where these were set had been prepared by trenching and taking a potatoe-crop.

‘About the twelfth or fifteenth year, I began to cut away the larch and spruce-firs. These had been introduced merely as nurseries to the deciduous trees; and, from the warmth and shelter they had afforded, and the previous double-digging, the whole had rushed up with singular rapidity. The next thing I did was, to thin out the trees to single distance, so as that the tops could not touch one another, and to cut away the side-branches, within about three, or three and a half feet of the surface. By this treatment, it will be perceived, that a considerable deal of air was admitted into the plantations. The light, which before had had access only at the top, was now equally diffused on all sides; and the trees, although for a few years they advanced but little *in height*, made surprising efforts towards a full development of their

most

most important properties. They acquired greater strength of stem, thickness of bark, and extension of roots, and consequently, of lateral branches. But, at this time, it was apparent, that the clumps had a remarkable advantage over the belt, or continuous plantation. While in no part so deep as to impede the salutary action of the atmosphere, the circular or oval figure of the clumps, and their free exposure to the elements, furnished them with a far greater proportion of good outside trees; and these, having acquired, from the beginning, a considerable share of the protecting properties, were in a situation to shelter the rest, and also to prevent the violence of the wind from acting injuriously on the interior of the mass. It therefore became necessary to thin the belt for the second time, which was now done to double distance; that is to say, to a distance such as would have admitted of a similar number of trees in every part, to stand between the existing plants. Thus, within four years from the first thinning, I began to have tolerable subjects for removal, to situations of moderate exposure; while every succeeding season added fresh beauty and vigour to these thriving nurseries, and made a visible accession to all the desirable pre-requisites.'—p. 203-205.

The author proceeds, with his usual precision, to give directions how each country-gentleman, that is so minded, may, by a peculiar treatment adapted to accelerate the acquisition of the protecting properties applied to a portion of any existing plantation, secure a grand repository of materials high and low, light and massive, from which his future plans of transplantation may be fully supplied. Indeed, he adds, that all grove woods, which have been regularly and properly thinned, and so treated that the tops have not been suffered to interfere, may be esteemed good transplanting nurseries, provided the soil be loose and friable.

Thus much being said about the principle of selection, the reader will naturally desire to know, what size of trees can be subjected to the process of transplantation. According to Sir Henry's general statement, this is a mere question of expense. A large tree may be removed with the same certainty of success as a lesser one; but it requires engines of greater power, a more numerous band of labourers, and the expense is found to increase in a rapidly progressive ratio. We presume to add, although our author has not explicitly stated it, that to sustain this violent alteration, trees ought to be selected that have not arrived at maturity, far less at the point from which they decline; and this, in order that the subject of transplantation may be possessed of all the energy and force of vegetation belonging to the period of youth. In the practice at Allanton, a tree of six or eight inches in diameter, or two feet in girth, is the least size which is considered as fit to encounter the elements; if planted out singly, eighteen inches and two feet in diameter are among the largest specimens,

specimens, and plants of about a foot in diameter may be considered as a medium size, being both manageable and of size enough to produce immediate effect upon the landscape, and to oppose resistance to the storm.

We are next to trace the Allantonian process of removing and replanting the tree.

The tree is loosened in the ground by a set of labourers, named pickmen, who, with instruments made for the purpose, first ascertain with accuracy how far the roots of the subject extend. This is easily known when the subject has been cut round, as the trench marks the line where the roots have been amputated. If the tree has not sustained this previous operation, the extent of the roots will be found to correspond with that of the branches. The *pickers* then proceed to bare the roots from the earth with the utmost attention not to injure them in the operation. It is to the preservation of these fibres that the transplanter is to owe the best token of his success, namely, the feeding the branches of the tree with sap even to their very extremities. The roots are then extricated from the soil. A mass of earth is left to form a ball close to the stem itself, and it is recommended to suffer two or three feet of the original sward to adhere to it. The machine is next brought up to the stem of the tree with great caution. This is the engine devised by Browne, and considerably improved by Sir Henry Steuart. It is of three sizes, that being used which is best adapted to the size of the tree, and is drawn by one, or, at most, two horses. It consists of a strong pole, mounted upon two high wheels. It is run up to the tree, and the pole, strongly secured to the tree while both are in a perpendicular posture, is brought down to a horizontal position, and in descending in obedience to the purchase operates as a lever, which, aided by the exertions of the pickmen, rends the tree out of the soil. The tree is so laid on the machine as to balance the roots against the branches, and it is wonderful how slight an effort is necessary to pull the engine when this equilibrium is preserved. To keep the balance just, one man, or two, are placed aloft among the branches of the tree, where they shift their places, like a sort of moveable ballast, until the just distribution of weight is ascertained. The roots, as well as the branches, are tied up during the transportation of the tree, it being of the last consequence that neither should be torn or defaced by dragging on the ground or interfering with the wheels. The mass, when put in motion, is manœuvred something like a piece of artillery, by a steersman at the further end. It requires a certain nicety of steerage, and the whole process has its risks, as may appear from a very good story told by Sir Henry, at page 232.

The

The pit for receiving the transplanted tree, which ought to have been prepared at least a twelvemonth before, is now opened for its reception, the earth being thrown out for such a depth as will suit its size; with this caution, that the tree be set in the earth as shallow as possible, but always so as to allow room for the dipping of the vertical roots on the one hand, and sufficient cover at top on the other. This is preferred, even though it should be found necessary to add a cart-load or two of earth to the mound afterwards.

It is well known that in all stormy and uncertain climates every species of tree shows what is called a weather side, that is, its branches shoot more freely to that side which is leeward during the prevailing wind than in the opposite direction. Hence the trees, in a windy climate, excepting, perhaps, the sycamore, are but indifferently balanced, and seem, from their growth, to be in the act of suffering a constraint which they cannot resist. Now an ancient rule which is echoed and repeated by almost all who touch on the subject, affirms that a transplanted tree must be so placed in its new site, that the same sides shall be weather and lee which formerly were so. Sir Henry Steuart, in direct opposition to this rule, recommends strongly that the position of the tree be reversed, so that the lee side, where the branches are elongated, shall be pointed towards the prevailing wind, and what was formerly the weather-side, being now turned to leeward, shall be encouraged, by its new position, to shoot out in such a manner as to restore the balance and symmetry of the top. This change is, indeed, in theory a departure from Sir Henry Steuart's general principle, because it exposes to the greatest severity of the element that side of the tree whose bark has been least accustomed to face it. But nevertheless, as the practice is found successful, it must rank among those powers of control by which human art can modify and regulate the dispensations of nature, and the beauty given to the tree, which is thus brought to form an upright and uniform, instead of an irregular and sidelong head, is not less important than the shelter and power of resistance which it acquires on mechanical principles, by turning its heaviest and strongest branches against the most frequent and severe blast. Sir Henry claims the merit of being the first planter who ever dared to rectify the propensity of trees to shoot their branches to leeward by moving the position; and as, in his extensive experience, he has never found his doing so injure the tree, or impede its growth, we must thank him for breaking through the prejudice in question.

A second and most important deviation from the common
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course of transportation is, the total disuse of the barbarous practice of pollarding or otherwise mutilating and dismembering the trees which are to be transplanted. This almost universal custom, which subjected the tree, at the very moment when it was to sustain its change of place, to the amputation of one-third, one-half, or even the whole of its top, seems to be founded on a process of false reasoning. 'We cut off the roots,' say these reasoners, 'and thereby diminish the power of procuring supply for the branches; let us also cut off a similar proportion of the branches which are to be supplied, and the remaining roots will be adequate to support the remainder of the top.' In this argument, it is assumed that the branches are themselves of no use to the process of vegetation, and can be abridged with as much ease as the commandant of a besieged town, when provisions grow scarce, can rid himself of the superfluous part of his garrison. But it is not so; we cannot deprive the tree of a healthy branch, without, to a certain extent, deranging the economy of vegetation: each leaf, in its degree, forms a forcing-pump, which draws up a certain quantity of sap, the natural food of the tree; and, moreover, it forms a portion of the lungs of the tree, as the leaves inhale a certain quantity of air, an operation which may be compared to respiration. To destroy the branches, therefore, further than for the moderate purpose of pruning, is to attempt to fit the tree to rest satisfied with an inferior supply of nourishment, by depriving it of a part of its appetite and a part of its power of inhaling the air, which is no less necessary to its healthful existence. The case comes to be the same with that of a worthy chaplain, who, with the crew of a vessel he belonged to, was thrown by shipwreck on a desolate rock, where there were no means of food. His shipmates suffered grievously, 'But for my part,' says the chaplain, 'I bless heaven that I was in a burning fever the whole time, and desired nothing but cold water, of which there was plenty on the island.' Now though the good man seems to have been grateful even for his burning fever (having, it must be observed, safely recovered from it), it will generally be thought rather too hazardous a remedy to be desired by others in similar situations, and those who treat their trees on the same principle ought to remember, that to cure one injury they are subjecting their subjects to two.

The sagacious Miller long ago noticed these facts, and ascribed this fashion of thinning and pollarding to the ignorance of planters, who, not being aware of the principles of vegetation, did not know that trees were nourished as well by their leaves, sprays, and branches, as by their roots;—'For (says that judicious writer) were the same severities practised on a tree of the same age unre-
moved,

moved, it would so much stint the growth, as not to be recovered in several years; nor would it ever arrive at the size of such as had all their branches left upon them.*

But were this species of mutilation less directly injurious to vegetation than it certainly is, we ought to remember that the purpose of transplanting trees is chiefly or entirely ornamental; and if we render them, by decapitation and dismemberment of every kind, disgusting and miserable spectres, we destroy the whole purpose and intention for which they were transplanted, and present the eye with a set of naked and mutilated posts and poles, resembling the unhealthy and maimed tenants of a military hospital, after a great battle, instead of the beautiful objects which it was the purpose of the improver to procure by anticipating the course of nature. It is true, good soil, and a tract of years, may restore such ill used subjects to form and beauty, but, considering the length of time that they must remain disgusting and unsightly, we would far rather trust to such plants as nature might rear on the spot—plants which would come to maturity as soon, and prove incomparably more thriving in their growth, and more beautiful in their form. But the Allanton system, by planting the subjects without mutilation, boasts to obtain the immediate effect of trees complete and perfect in all their parts, without loss of the time required to replace the havoc of axe and saw.

There is a third material point in which Sir Henry Steuart's system differs from general practice, not, indeed, absolutely, but in degree. The only absolute requisite which the old school of transplantation enjoined, was that the tree should be taken up with as large a ball of earth as could possibly be managed. In obeying this direction, there was considerable expense incurred by the additional weight, not to mention that the transplanter was often disappointed by the ball falling to pieces by the way. In short, the difficulty was so great, that the operation was often performed in severe weather, to secure the adhesion of the earth to the roots, at the risk of exposing the extremities of the fibres and rootlets to the highly unfavourable agency of frost. The Allanton system limits the earth, which is, if possible, to be retained, to that lying immediately under the stem of the tree, where a ball of moderate extent is to be preserved: the roots extending from it are, as already explained, entirely denuded of earth by the pickmen, in their process of loosening the tree from the soil. When the tree is borne by the machine up to the spot where it is to be finally placed, it is carefully brought to a perpendicular posture by means of elevating the pole of the machine, and the centre of the stem is received, with the ball of earth adhering to it, into a cavity in the

* Miller's Gardener's and Botanist's Dictionary, voc. 'Planting.'

middle of the pit, so shallow, however, that the trunk of the tree stands rather high, and the roots have a tendency downwards. The roots are then freed from the tyings which have bound them up for temporary preservation, and are divided into the tiers or ranks in which they diverge from the trunk. The lowest of these tiers is next arranged, as nearly as possible, in the manner in which it lay originally, each root, with its rootlets and fibres, being laid down and imbedded in the earth with the utmost precaution. They must be handled as a lover would dally with the curls of *Næra's* hair, for tearing, crushing, or turning back these important fibres, is in the highest degree prejudicial to the growth of the tree. The earth is then laid over this the lowest tier of roots with much precaution; it is carefully worked in by the hand, and the aid of a sort of small rammer, with such attention to the safety of the fibres, as to encourage them immediately to resume their functions, as if they had never been disquieted. Additional earth is then gradually sifted in and kneaded down, till it forms a layer on which the second tier of roots is extended; and these are put in order, and disposed of in the same way as the lower tier. The same process of handling and arranging the roots then takes place with the third tier, and the fourth, if there is one. This attention to incorporating with the soil each root, nay, each fibre, as far as possible, answers a double purpose. It not only induces the roots to commence their usual and needful office of collecting the sap, but also secures them against the effect of storms of wind, which, blowing on trees transplanted in the ordinary way with a ball, makes them rock like a bowl in a socket, the ball, with the roots, having no communication with the pit except by adhesion. The sense of this great evil suggested to former transplanters the necessity of stakes, ropes, and other means of adventitious support, which were always ugly, and expensive, and generally inefficient. Whereas, according to the Allanton system, the tree reversed so as to present its weightier branches against the wind, and picketed to the firm earth by a thousand roots and rootlets, carefully incorporated with the soil, is not found to require any support, is seldom swayed to a side, and almost never blown down by the heaviest gales. Here, therefore, is a third and important difference between the Allanton system and all that have preceded it, occasioned by the stability which the mode of laying the roots imparts to the tree, and the power of dispensing with every other species of support, except what arises from well-balanced boughs and roots received in the ground. We have to add, that Sir Henry's own territory lies considerably exposed to those storms from the North, which are the heaviest and most prevailing gales of the Scottish climate.

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When the soil has been placed about the roots, tier after tier, the rest of the earth is filled into the pit regularly, so that the depth around the stem shall be twelve or fourteen inches, and subjected to a gentle and uniform pressure, but by no means to severe ramming or treading in, leaving it to nature to produce that consolidation, which, if attempted by violence, is apt to injure the fine fibres of the roots. If there is turf, it is replaced around the stem in regular order. We ought not to have omitted, that the tree is subjected to a plentiful watering when the roots are fixed, and to another when the operations are completed.

From our own experience, we should consider this last requisite as of the highest consequence. Count Rumford, in his various experiments upon the food of the poor, arrived at the economical discovery, that water alone contained a great deal of nutritive aliment. Without extending our averment as far as that practical philosopher, we are much of his opinion, in so far as transplanted trees are considered; for we have seen hollies of ten and twelve feet high removed from the centre of a forest, and planted in a light and sandy soil, without any other precaution than placing them in a pit half-filled with earth, mingled with such a quantity of water, that it had the consistence of thin porridge. Every forester knows the shyness of the holly, yet, set in soil thus prepared, and refreshed by copious watering during the season, they thrive admirably well. Accordingly, we observe that Sir Henry recommends watering as one of the principal points respecting the subsequent treatment of the transplanted tree. When the trees stand snugly, or in loose and open disposition, he recommends that the earth around them shall be finally beat down by a machine resembling that of a pavior, but heavier, about the month of April or May, when the natural consolidation shall have, in a great measure, taken place. To exclude the drought, he then recommends that the ground immediately under the stem of the oak, birch, and other trees which demand most attention, shall be covered with a substance called *shews*, being the refuse of a flax-mill, which of course serves to exclude the drought, like the process which gardeners call mulching. Lastly, in the case of such transplanted trees as do not seem disposed to thrive equal to the others, we are instructed to lay around the stem four cart-loads of earth, with a cart-load of coal-ashes carefully sifted: this composition is spread round the tree, in a proportion of nine inches depth, around the stem or centre, and five inches at the extremity of the roots.

It is most important to observe, that the success of the whole operation seems to depend as much upon this species of treatment, which takes place after the transplantation, as on obser-

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vation of the rules laid down as to preparing the tree for its removal, and as to the method of the transplantation itself. We have already mentioned the efficacy of frequent watering; the excluding drought from the roots of the transplanted tree by the intervention of *shews*, or some equivalent subject, (leaves, perhaps, or a layer of wet straw,) is of the last consequence; and not less so is the application of manure to the roots of such trees as seem, in the language of planters, to fail or go back. When these things are attended to, the tree seldom or never fails. It is surrounded with a very neat species of defence against the deer, sheep, or other animals with which the park may be stocked, and which is more handsome as well as less expensive than the ugly tubs in which transplanted trees seem usually to be set out in the ground which they are designed to occupy. Taking the medium degree of thriving, a tree thus transplanted may be expected to suffer in its growth of leaves for the first year or two. In the second particularly, it has less the air of general health than at any future time. In the third, if regularly attended to in its after-treatment, it shows little sign of suffering anything. In two or three seasons more, it begins to show growth, and resume the progress of active vegetation.

We have thus gone hastily through the general requisites of the Allanton system of transplantation, for the details of which we must refer to the work itself. The merit to be assigned to the ingenious baronet is exalted by the character of his discovery, relating to such a fascinating branch of the fine arts as that of improving the actual landscape. He has taught a short road to an end which almost all landed proprietors, possessed of the slightest degree of taste, must be desirous of attaining. In a word, the immediate effect of wood is obtained—an entire park may, as in the case of Allanton, be covered with wood of every description: trees, arranged singly in scattered groups, or in close masses, intermixed with copse of every description, and boasting, in the course of four or five years, all the beauty which the improver, in the ordinary case, can expect, after the lapse of thirty or forty. Even in the first year, indeed, a great general effect is produced; but as, upon close inspection, the trees will for some time show a thinness of leaves and check of vegetation, we have taken that period at which the transplanted wood may, with ordinary management, be expected to have lost all appearance of the operation which it has sustained.

It is now time to attend to a formidable consideration, the expense, namely, at which a victory over nature, so complete as that which we have described, is to be attained. Sir Henry Steuart complains, with justice, of reports, which assigning the price

price of ten or twelve pounds to the removal of each tree, and circulated by envy or ignorance, have represented his system as beyond the reach of any, excepting the most opulent individuals; whereas he himself contends, that the art which he has disclosed has the opposite merit of being within the easy compass of any person of moderate fortune. As the practical utility of this ingenious system depends entirely on this point, we feel it our duty to notice the evidence on the subject.

The days of Orpheus are no more, and no man can now pretend to make the rooted denizens of the forest shift their places at the simple expense of an old song. It must be held sufficient if the expenditure does not so far exceed the object to be obtained, as to cause the alterations produced to rank with the extravagant freaks of Nero, who was the first of landscape-gardeners, and his successors in the school of gigantic embellishment. But the country-gentleman, of easy fortune, who does not hesitate to lay out two or three hundred pounds for a tolerable picture or two to adorn the inside of his house, should not surely be induced to grudge a similar expenditure to form the park, by which it is surrounded, into a natural landscape, which will more than rival the best efforts of the pencil. The power of adorning nature is a luxury of the highest kind, and must, to a certain extent, be paid for; but the following pieces of evidence serve to show, that the price is uncommonly moderate, if contrasted with the effects produced.

The committee of the Highland Society remark, that the transplantation of grown trees belongs to the fine arts rather than those which have had direct and simple utility for their object, and that the return is to be expected rather in pleasure than in actual profit:

‘Value, no doubt, every proprietor acquires, when he converts a bare and unsightly common into a clothed, sheltered, and richly ornamented park. But, excepting in the article of shelter, he has no more immediate value than the purchaser of a picture.’

But this apologetical introduction is so far short of the truth, since it omits to notice that the improver *has* created a value—unproductive, indeed, while he continues to retain possession of his estate, but which can be converted into actual productive capital so soon as he chooses to part with it. The difference between Allanton, with its ornamented park, and Allanton as it was twenty years since, would soon be ascertained were the proprietor disposed to bring his ancient heritage into the market.—The committee proceed to state, that the formation of the two acres of copse, intermingled with standard trees, already mentioned, appears to have amounted to 30*l.* per acre; and they express

press their belief that no visible change, to the same purpose, could have been effected by the landscape-gardener, which could have had effect before it had cost the proprietor *three times* the sum.

Mr. Laing Meason, who had personally attended some operations on Allanton park, mentions the transplantation of two trees, from twenty to thirty years old. The workmen began their operations at six o'clock in the morning. The first tree was, by measurement, twenty feet; the second, thirty-two feet high, the girth from twenty-four to thirty-six inches. The one was moved a mile, the other about a hundred yards, and the whole operation was concluded before six in the evening. The wages of the men amounted to fifteen shillings, so that each tree cost seven shillings and sixpence. Adding the expense of a pair of horses, the sum could not exceed twelve shillings, and we must needs profess, that the mere pleasure of witnessing such a wonderful transmigration successfully accomplished, was, in our opinion, worth half the money. Mr. Laing Meason proceeds to say, 'that if a comparison was to be drawn between the above expense and that of planting groups of plants from the nursery, keeping inclosures up for twenty years, and losing the rent on the ground occupied, the Allanton system is much preferable on the point of economy.'

The evidence of various gentlemen who have already adopted Sir Henry Steuart's system on their own estates, is given at length in the book before us:—Mr. Smith, of Jordanhill in Lanarkshire, appears to have made the largest experiments next to the inventor himself; and he states the results as uniformly successful. Before his workmen attained proficiency in the art, the individual trees cost from fifteen to eighteen shillings each, when transported about a mile; but in his later operations the charge was reduced to eight shilling for very handsome subjects, and six shillings for those of an inferior description.

Mr. Mac Call, of Ibroxhill, another gentleman in the same neighbourhood, estimates the cost of his operations on trees, from eighteen to twenty-eight feet high, at eight shillings and tenpence per tree. Mr. Watson of Linthouse, in Renfrewshire, reckons that his trees, being on an average thirty feet high, cost him fourteen shillings the tree. Sir Charles Macdonald Lockhart, of Lee, and Sir Walter Scott, of Abbotsford, mention their expenses as *trifling*; and Mr. Elliot Lockhart (M.P. for Selkirkshire) states ten shillings as the average cost on transplanting trees from twenty-four to thirty-five feet in height. All these gentlemen attest the success of their operations, and their thorough belief in the soundness of their ingenious master's doctrine.

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It ought to be observed, that no special account seems, in any of these cases, to have been kept of the after treatment of the transplanted tree, by watering and manuring, which must differ very much, according to circumstances. Something, however, must be added on this account to almost all the prices quoted by the experimentalists above-mentioned.

We now come to Sir Henry's account of his own expenses, which, with the laudable and honourable desire to be as communicative and candid as possible, he has presented under various forms. The largest trees which Sir Henry Steuart himself has been in the habit of removing

'being from twenty-five to thirty-five feet high, may be managed,' he informs us, 'by expert and experienced workmen, for from 10s. to 13s. each, at half a mile's distance; and the smallest, being from eighteen to five-and-twenty feet, for from 6s. to 8s. With workmen awkward or inexperienced, it will not seem surprising, that it should require a third part, or even a half more, fully to follow out the practice which has been recommended. As to wood for close plantations, or for bush-planting in the park, the trees may be transferred for about 3s. 6d., and the stools of underwood for from 1s. to 2s. per stool.'—p. 341.

In another view of his expenditure, Sir Henry Steuart fixes on a very considerable space of ground, which he had fully occupied with wood during a period of eight years, and shows *data* for rating his annual expenditure at fifty-eight pounds ten shillings yearly;—a sum certainly not too extravagant to be bestowed on any favourite object of pursuit, and far inferior in amount to that which is, in most instances, thrown away on a pet-farm. We have dwelt thus long on the subject of expense, because it forms the most formidable objection to every new system, is most generally adopted, and most completely startling to the student. But where so many persons, acting with the very purpose of experiment, after allowance has been made for difference of circumstances, are found to come so near each other in their estimates, and that *twelve shillings* for the *expense of transplanting a tree of thirty feet high* forms the *average of the calculation*, it will not surely be deemed an extraordinary tax on so important an operation.

But, although we have found the system to be at once original, effectual, and attended with moderate expense, we are not sanguine enough to hope that it will at once find general introduction. The application of steam and of gas to the important functions which they at present perform, was slowly and reluctantly adopted, after they had been opposed for many years by the prejudices of the public. Yet these were supported by such effective arguments *ad crumenam*, as might, one would have thought, have ensured their advocates a favourable hearing

ing. The present discoverer is a gentleman of liberal fortune, who, after having ornamented his own domain, has little interest whether his neighbours imitate his example or no. The system, too, must be subjected to the usual style of sneering misrepresentation which is applied to all innovators, until they gain the public to their side, and rise above the reach of detraction. We have also to anticipate the indifference of country-gentlemen, too indolent to conquer the difficulty of getting the fitting and indispensable machinery, or to procure the assistance of experienced workmen. Even in the cases in which the new system may be brought to a trial, it may fall under discredit from the haste of the proprietor, or the no less formidable conceit and prejudices of the workman. The one may be disposed to leave out or hurry over some of the details, which are peculiarly slow and gradual, though producing such an immediate effect when completed; the other, unless closely watched, will assuredly revert to his own ancient practice, in despite of every charge to the contrary. In either case, the failure which may ensue will be imputed to the Allanton system, though it should be rather attributed to departure from its rules.

Notwithstanding all these obstacles, the principle is so good, and the application so successful, that we shall be much surprised if, ere long, some professional person does not make himself master of the process, and proceed to strive for that eminence which he cannot fail to achieve when it is found he possesses the art of changing the face of nature, like the scenes in a theatre, and can convert, almost instantly, a desert to an Eden. Nurserymen and designers will then find it for their interest to have the necessary machinery, and gangs of experienced workmen, to enable them to contract for raising, transferring, and upholding any particular number of trees, which a country-gentleman of moderate fortune may desire to place in groups, or singly, in his park. The alteration will be thus effected without the proprietor, who wishes but to transplant some score or two of trees, being obliged to incur the full expenses of providing and instructing superintendents, as if he meant to countermark the whole advance of Birnam wood to Dunsinane. Earlier or later, this beautiful and rational system will be brought into general action, when *it will do more to advance the picturesque beauty of the country in five years than the slow methods hitherto adopted can attain in fifty.*

Our readers are now enabled to answer with confidence the question of Macbeth:—

‘Who can impress the forest? Bid the tree
Unfix his earth-bound root?’—

But the subject, though to ourselves of special interest, has already, perhaps, detained some readers too long. *Non omnes arbusta juvant.*

ART.

ART. II.—*Report from the Select Committee on the Salmon Fisheries of the United Kingdom, June 17, 1824. Ditto, March 30, 1825. Ditto, June 3, 1825. Ditto, May 31, 1827.*

THE peculiar circumstances of Britain, in reference to a limited soil, contrasted with extensive sea-coasts, and numerous rivers and lakes, intimate to her population the expediency of obtaining a large portion of their sustenance from the waters. These are known to teem with life, and to furnish a supply of agreeable and nourishing food, which may be pronounced inexhaustible. National industry has, accordingly, been directed to the fisheries, by the offer of bounties to encourage enterprise, and by statutory enactments to protect property. Yet, in spite of these public acknowledgments of the importance of this store-house of our national wealth, the true character of our fisheries, and the bearings of their various interests, seem, in general, to be imperfectly comprehended. There are many who can justly and learnedly expatiate on the vast importance of Agriculture, as a main pillar of the state; on the circumstances which long retarded its progress; and on the advantages which it has derived from societies and journals having collected the results of experience, and diffused a knowledge of the improvements which have taken place in its different departments. There are likewise many who can point out the value of our Mines in the scale of our national resources, and the important aids which the sciences of chemistry and geology have recently furnished. But how seldom do we hear of our Fisheries, in reference to the capital occupied, the population employed, or the supply to our wants and comforts which they yield! In point of fact, there is an apparent indifference towards the subject, as one of public interest, the sources of which it may be worth while to investigate.

It is in the power of any individual, even with little labour, to become acquainted with the more ordinary operations of agriculture, in regard to the rearing both of corn and cattle. It is not even a matter of difficulty to descend a coal-pit or a copper-mine, and trace the whole series of those operations by which the bowels of the earth furnish necessities and comforts to man. But when the same observer repairs to the boat of the fisherman, he meets with difficulties which he cannot overcome: he may view the lines, the hooks, and the baits, or the various nets to be employed, but he cannot accompany them on their errand of slaughter: he may, indeed, contemplate the returns in the boat, and if he can so far restrain his prejudices, as to examine the cold and slimy cargo, he may gain a knowledge of the kind and condition of its contents.

contents. But there is still an intervening stage of the process concealed from his inspection. It may be imagined, perhaps, that any individual who has examined the preparations of the fisherman, as he goes forth to his labour, and the spoils with which he has returned, might form some just conceptions, or plausible conjectures, of the intermediate and concealed operations, and be able to make the public nearly as well acquainted with the rationale of our fisheries, as with our agriculture and mining. To execute this task, however, there would be required a competent knowledge of the science of zoology, to qualify for estimating the value of the detached facts and observations which the subject only furnishes, and to trace the connexion of these by the help of analogies presented by the other and more perfectly comprehended departments of the animal kingdom. But, unfortunately, there is a defect in our national system of education, the evils resulting from which are here experienced to a painful extent. There is not a professor of zoology in any of our venerable universities, so that the science, as a branch of general education, is unknown, and the few who endeavour to trace the great laws of the animal kingdom, and the details of ichthyology in particular, are compelled to undertake a private course of irksome study. It need not, therefore, occasion surprise, that the subject of our fisheries should appear so uninteresting, it being so little understood, or that the clamours of the most sordid should excite a sympathy in their favour, in quarters which, if enlightened by the truths of science, would have been inaccessible.

We are aware that the subject of the salmon fisheries, to which we intend, in the present article, chiefly to confine our observations, has long excited keen discussions in the courts of law, and must continue to do so, while the absurd and unequal enactments of our statute-book continue in force. These have been ordained in various periods, and under very different circumstances, and generally in the absence of a scientific acquaintance with the subject. Some rivers, for example, are *fenced* (fishing of salmon prohibited) during several months in the year, for the avowed purpose of preserving the breeding fish and the helpless fry, while in other streams all such protection is withheld. The fence months, even in contiguous districts, vary in the period of their commencement, from the middle of August to the end of December: and in that of their conclusion, from the end of November to the middle of May, being a range, in both seasons, of upwards of four months: and all this variety in the absence of a proof, or even a presumption, of a difference in the physical condition of the rivers thus subjected to the management of such dissimilar tutorage. In some instances certain engines for catching fish are considered

considered as useful, and protected, which in other estuaries are regarded as injurious, and prohibited. Poaching is universally practised to an immense extent, in opposition to many laws, which the magistrates do not seem to understand, or feel great difficulty in applying.

In the midst of so many legal inconsistencies, the fruitful source of expensive litigations, there were individuals who sought redress, by petitioning parliament to revise the laws regulating the Salmon Fisheries, and to frame statutes more scientific in their principle, and more equal in their application, than those which had been found so generally defective. As was to be expected, the British senate listened to these petitions, and appointed a committee of its members to make the necessary inquiries. This committee began its more public labours on the 5th May, 1824, and terminated its inquiries on the 28th May, 1827. During these three years, a variety of opinions and documents were obtained, well calculated to throw much light on the important subject. The witnesses examined were principally the tenants of the fisheries, acquainted with the practical details of the trade, as Messrs. Little, Halliday, Johnston, Hogarth, Steavenson, and Wilson. A few proprietors of fisheries, and others interested in the national bearings of the subject, were likewise interrogated, as Lord Clive, Lord Forbes, and Mr. Spring Rice. Only one naturalist, the Reverend Dr. Fleming, of Flisk, was called upon to give an opinion—whose examination appears to have been conducted in a systematical form. The results of these investigations, together with many important communications from various individuals, constitute the Reports of the committee. Besides these official documents, a variety of valuable remarks have appeared in pamphlets, journals, and newspapers, so that our senators, as well as the public, may now be supposed qualified to judge in so intricate a question. The delay, however, which has taken place in the preparation and introduction of a bill into parliament, intimates, too plainly, the existence of some difficulties which yet remain to be overcome.

The nature of the testimony given by the witnesses practically engaged in the fisheries, as stated in the reports, is so various and contradictory, that it cannot fail to bewilder, in no inconsiderable degree, those who are strangers to the truths of ichthyology, and lead them to form an unsuitable estimate of its value. We do not, in fact, consider these reports as having made many or important additions to our knowledge of the natural history of the salmon, beyond what was previously recorded; their main value is, that they throw great light on the bearings of the fisheries, as a neglected, or rather ill-regulated *source of our national wealth.*

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And even here we must acknowledge, with regret, that the reports appear to us to be deficient in that very department where we reasonably expected to find the information most complete—the extent of the salmon fishery in the scale of our national wealth. We shall look in vain to these reports for the amount of the salmon caught in any one year, legally, in the united kingdom; the rent paid for the fisheries; the capital engaged in the trade; or the number of individuals employed. And what may probably appear equally surprising, we are left in ignorance as to the price of the article in the market in different years, and the fluctuations to which it is subject throughout the different months of each year. Leaving, however, details of this kind, and abstaining from all further criticism on the general character of the evidence, we propose to exhibit such a plain view of the bearings of this important subject, equally in reference to its scientific and practical relations, as shall qualify the general reader for comprehending what we have no hesitation in denominating a national question of vital importance.

Fishes appear to execute annually two great migrations. By one of these shiftings, they forsake the deep water for a time, and approach the shallow shores; and by the other, they return to their more concealed haunts. These movements are connected with the purposes of spawning, the fry requiring to come into life, and to spend a certain portion of their youth in situations different from those which are suited to the period of maturity. It is in obedience to these arrangements that the cod and haddock, the mackerel and herring, annually leave the deeper and less accessible parts of the ocean, the region of the zoophytic tribes, and deposit their spawn within that zone of marine vegetation which fringes our coasts, extending from near the high-water mark of neap-tides, to a short distance beyond the low-water mark of spring tides. Amidst the shelter in this region, afforded by the groves of arborescent fuci, the young fish were wont, in comfort, to spend their infancy; but since these plants have been so frequently cut down to procure materials for the manufacture of kelp, and the requisite protection withdrawn, the fisheries have suffered in consequence. Even the finny tribes inhabiting lakes, as the gwinead and other species, periodically leave the deep water, and, in obedience to a similar law, approach towards the margin, and deposit their spawn. We may add that in the shallow water, in both cases, the numerous small animals reside, which constitute the most suitable food for the tender fry.

Many species of fish, as the salmon, smelt, and others, in forsaking the deep water, and approaching a suitable spawning station, leave the sea altogether, for a time, ascend the rivers and their

their tributary streams, and having deposited their eggs, return again to their usual haunts. Even certain species of fish, inhabiting lakes, as the roach, betake themselves to the tributary streams, as the most suitable places for spawning.

In executing these periodical movements, all the individuals of a species do not migrate at the same period. There is, however, a particular season in which the individuals of a species shift their place in the greatest numbers, extending over days, weeks, or even months. Before and after this period, stragglers will likewise appear in variable numbers. Even during the height of the migrating season, the movements of the individuals are of a very desultory character, sometimes executed singly, at other times in such companies as to induce the fishermen to term them *schools*.

We have little doubt that some of our readers, in their anxiety to generalize, from the premises which have now been stated, may be ready to express an opinion, that the fishing of each species should be confined to the deep water, and no captures allowed during the period that the fish are approaching to, or retiring from their spawning ground. This view of the subject is theoretically correct, but it would be inexpedient in practice, as we are not as yet acquainted with the deep-water haunts of many species, as the salmon, the herring, and the pilchard. Their haunts, however, may yet be discovered, and suitable hooks and baits may yet be employed. In the meantime, we may take shame to ourselves, as a nation, that no expedition has, as yet, been fitted out to explore these retreats, and to ascertain the extent of our submarine wealth, but that nearly all our knowledge of the productions of the deeper sea-banks is confined to the obscure intimations given by the mud which adheres to the sounding lead.

Previous to the approach of the spawning season, there is a preparation necessary to enable the body to undergo the fatigues and the fastings by which it is accompanied. The muscles acquire size and strength, especially those connected with the tail; the principal organ of progressive motion, so that the body behind appears plump and round. A great deal of fat is deposited between the muscles, but especially on the belly, the flesh of which at this time is of considerable thickness. As the spawn advances to maturity, the fat is withdrawn for its nourishment, the belly becomes little else than skin, and while the deluded epicure, upon seeing the large roe, imagines that his fish is in the best condition, it has actually reached the very maximum of its worthlessness. When the business of spawning is over, the leanness of the fish then becomes apparent, and the extraordinary muscular

muscular exhaustion which it has undergone is marked by the leanness of its head and the lankness of its tail.

The same love of generalization already noticed is probably again inducing the reader to condemn the capture of all kinds of fish whenever the eggs in the roe acquire such a size as to require, for their growth, a rapid absorption of the fat previously treasured up. In spite of a few practical difficulties, we feel inclined to join in the censure, and earnestly to hope that the period is not far distant when there will be a fence season for every species in use, and when the large and ripe roe of our white fish will no longer be exhibited on the stalls, as a glaring proof of the defects of our municipal regulations.

Keeping these preliminary observations in view, let us now trace more particularly the movements of salmon and their fry, in order to establish those general principles founded on the habits of the fish, by which all legislative enactments connected with the fishery should be regulated.

We have already stated, that the deep water, or submarine haunts of the salmon are unknown; those retreats to which they betake themselves in their debilitated condition, after spawning, and from which they issue forth in their highest vigour. They begin to approach the coast and enter the rivers, as stragglers, about February, increasing in numbers towards May and June; when the drought and heat of summer render the *streams* unfit for their reception. At this period they crowd, in shoals, towards the coast, and roam about in the estuaries, until the autumnal floods again entice them to enter the rivers. While thus detained on the coast, and in the estuaries, they are pursued and preyed upon by numerous herds of seals and grampuses, which consume many more than fall to the lot of the fisherman. The early *run* fish are in good condition, the roe being still small, and they seem to be destined to mount towards the higher and more distant branches of the river. Towards August and September, the roe has acquired such a size as to render the fish nearly useless as food, and greatly to limit the extent of its migrations. Having arrived at suitable spawning ground, salmon pair, and proceed to the shallow, gravelly fords at the top and bottom of pools, and there, in company, make their spawning bed, which sometimes reaches from twelve feet in length to ten in breadth. This bed is furrowed by the parent fish working up against the stream, and the spawn is deposited and covered at the same time. This process frequently occupies more than a week; during which the eggs deposited by a single fish sometimes amount to the astonishing number of twenty thousand! This spawning season extends from

from the end of October to the beginning of February, and, according to very satisfactory evidence, it occurs nearly about the same time throughout all the rivers of the United Kingdom. This coincidence is by no means remarkable in the physical distribution of aquatic animals, protected as they are, to a considerable extent, from the influence of climate, by the medium in which they reside. The parent fish having thus accomplished the important purposes of their migration into the river, now retire into the deeper pools, whence, after remaining for a considerable time, they direct their course towards the sea, chiefly during the months of February, March, and April—the male fish appearing to migrate earlier than the females.

The eggs of the salmon remain in the gravel for several months, exposed to the influence of running water. In the course of the month of March, and nearly about the same period in all our rivers, the fry are evolved. When newly hatched, they are scarcely an inch in length, of the most delicate structure, and, for awhile, connected with the egg. Upon leaving the spawning bed, the fry betake themselves to the neighbouring pools, where they speedily increase to two or three inches in length. In April, May, and June, they migrate towards the sea, keeping near the margin, or still water, in the river, and when they reach the estuary, they betake themselves to a deeper and more sheltered course, and escape to the unknown haunts of their race, to return shortly after as grilse, along with the more aged individuals. All these seaward migrations of the parent fish and the fry are influenced and greatly accelerated by the occurrence of floods in the rivers.

The concurrent testimony of all the witnesses, and the other documents contained in the reports, having established the fact of the season of spawning, and the migration of the spawned fish to the sea, the hatching of the eggs, and the descent of the samlets to the same quarter being nearly the same throughout the rivers of England, Ireland, and Scotland; it will not now be a difficult matter for us to determine the *fence* months which would best accord with the habits of the salmon, and the engines which seem most suited to the different kinds of fishings.

In entering upon this important branch of the inquiry, it will scarcely be demanded of us to point out the necessity of protecting the fisheries by the establishment of some *fence* months, because, on this important point, there does not appear to be any difference of opinion. Yet, though the ‘times and the seasons’ of the fish indicate a very remarkable degree of regularity and uniformity, we have seen that the fence months, appointed by parliament, vary throughout a considerable range. This circumstance is so favourable to the *poacher*, that though he may have

drawn his spoils from a river *in fence*, he can safely expose them, under the pretext that they are the produce of a river *open* at the time. This is a trick so well known and generally practised, and one so sure to prevail while the rivers are protected so variously as at present, that, under the new arrangement, the fence months ought to be similar for all the rivers in the kingdom; and we have already seen that the habits of the fish justify the uniformity which we here recommend.

According to the present laws, the fishing of salmon may begin, in some rivers, as early as December, and in others not until May. Which of these two seasons would it be best to adopt in any new legislative enactment? December and January are spawning months. To allow fishing to be practised throughout this period with any moveable net would be sanctioning the disturbance of the spawning fish in their labour, and capturing them while in a comparatively useless condition as food; especially as we must bear in mind, that the places most suitable for the employment of the net are precisely those which the fish select for their spawning beds. In proof of this, we find one witness, from the Tay, declaring, that in the year 1819, 'he took eighteen at one haul, in the month of December, of fish spawning on the spawning bed.' As to January, February, and even March, though few fish may be disturbed in the act of spawning, those which have spawned must, during this period, be exposed to destruction. It is, indeed, pretended, that when these spawned fish are inclosed in the net, the scrupulous fishermen take them out safely and return them to the water, retaining such only as are in a sound state. The evidence in the Report, however, exhibits a picture less favourable to the interests of the fisheries, and far more consistent with the present state of human nature. But there are other evils connected with this early use of moveable nets.

In the early months, and until March, when the fry are evolved, the nets are continually extended and withdrawn on the spawning beds. Perhaps this evil, especially during January and February, may, to a certain extent, have been exaggerated. Yet, when we consider the great weight of the ground-rope of the net necessary to bring it close to the bed of the river, and prevent the escape of the prey, hauled many times a day for months in succession over the spawning beds, and frequently dragging along the blocks of stones hurled into the river during floods by the tributary streams, or conveyed by the floating ice which has grounded on the fords, we instantly perceive the force of an observation made by one of the witnesses, 'You might just as soon have a bed of onions to come to perfection, if a coble-net and rope was dragged over it, tearing up the mould twenty times a day; I would take
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my chance of the one as soon as the other.' But this evil does not reach its maximum until the eggs are hatched, when the tender fry remain for some time with their bodies exposed, and attached, as it were, by the breast, by means of the umbilical cord, to the egg yet resting in the gravel. In this state, the dragging of a heavy rope even once across their cradle, must occasion the destruction of thousands. Besides, while the fry, *after* having taken their departure from the spawning fords, are still in the river on their way to the sea, the moveable nets drag them ashore in countless numbers, to rot on the banks, or to be employed as food for swine. It is necessary here to state, that these remarks do not apply to moveable nets in estuaries, or on the sea-shore, where there are no spawning beds, and where such engines cannot reach the stations of the samlets or spawned fish, and, we may add, where nets of any kind, during the months referred to, are usually unproductive. Neither do they apply to those fixed engines in rivers, consisting of wooden lattice-work, with labyrinths or courts, which *may* be so constructed as to detain for capture the ascending sound fish only, and permit the escape of the descending spawned fish and fry. But of these fixed engines we shall have occasion afterwards to speak.

It thus appears, that if due care be taken to protect the fish during the period of spawning, and until they effect their retreat to the sea, and likewise the samlets until they, too, reach a place of safety, the salmon fisheries of Britain should not be suffered to commence, by the aid of moveable nets, previous to the beginning of May. Against this decision it will probably be urged, that many sound fish would, by such a regulation, effect their escape, which, under the present system, are rendered available to the public, and that many spring fisheries, the only kind of value on certain properties, would be annihilated. We admit that, previous to the month of May, there are many fish in excellent condition, which have entered our rivers; that these fish when taken can be conveyed to market in the finest state, decomposition proceeding slowly during the cold season, and ice being abundant; and that the fish thus consigned to the salesman bring a good price, perhaps five times greater than fish sold in the month of July. But after having made this very ample acknowledgment, we would ask of those who offer the objection, to state to us where the fish would go to, which enter rivers from December to May, if they were not interrupted in their course, and captured by the nets in active employment during that period, towards their termination at the head of estuaries or in the sea? Would they not ascend the various tributary streams sufficiently large for their entrance, and people by their presence those waters in the interior

of our country which at present are tenantless wastes? Would they not remain until they had spawned, and thus enable the inland proprietor, at the commencement of the general fishing season, to obtain a luxury for his table from his own stream, instead of deriving it, as at present, from a more seaward proprietor, who enjoys an oppressive monopoly? The evidence is complete that salmon, which have once entered the fresh water, never return to the sea again until the business of spawning has been accomplished. It is true that some of the witnesses have described migrations of the salmon into rivers for the purpose of freeing themselves from vermin which attack them in the sea; and asserted that they are compelled, even before spawning, occasionally to return to the sea, to get rid of other vermin which have seized upon them in the fresh water. But the natural history of these parasitical crustaceous animals lends no countenance to this notion; and the well-known circumstance of spawned fish exclusively being taken in those fixed engines calculated to catch all the individuals migrating to the sea, stamps the conjecture as visionary. It may be said, that the fish would become deteriorated by sojourning so long in fresh water, and that it would be of advantage to the public to catch the fish when in the best state, or when it has recently left the sea. We admit that a residence of several weeks, during the hot season, in a shallow, stagnant pool, may alter the colour of the fish, and even make it sickly and lean. But we are here viewing the fish as residing in the river during the cold months, while the streams are yet well supplied with water, and in the total absence of every known cause of deterioration. Taking those circumstances in connexion, we venture to predict that those proprietors who possess fishing stations at the mouths of rivers, will keenly urge the expediency of ordaining the fishing season to commence as early as December, or long previous to May, that they may have it in their power to secure *all* the fish which may enter the river. On the other hand, we are to expect that the inland proprietors will strenuously oppose the early commencement of the fishing season, as hostile to their interests, by depriving them of the only possible chance of obtaining any share of the bounty which the sea pours forth and directs towards them. We would willingly allow the proprietors of fisheries towards the mouths of rivers their full share; nay, whatever may be the fence months, they must enjoy the peculiar advantages of their situation. But they, indirectly, demand a monopoly, and the inland proprietors hitherto seem not to be aware of the bearings of their interests.

The most suitable period for closing the fishing season is pointed out by the condition of the fish. In the month of August nearly
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all the fish have become lean, and of little value as food; the roe, towards this period, having acquired considerable size. There are few, indeed, who would wish the fisheries to have permission to continue in activity beyond the middle or end of August, except, perhaps, some inland proprietors, who probably never see a fish in their streams, until their more seaward neighbours have relinquished the fishing operations of the season. But were the arrangements, for the late commencement of the fishing season in spring, to take place as we have recommended, these inland proprietors would obtain good salmon at a suitable season, instead of being contented, as at present, to feast on those which others have not considered worth the catching. But there is another important consideration which ought to be kept in view. The longer the protection is delayed to the spawning fish in autumn, the shorter will be their journey into the river, fewer fords will be occupied, and the fertility of the river greatly circumscribed—a result which will be avoided by those who are anxious to render our fisheries *permanently* productive.

If the seine, or coble-net, shall be declared the only legal engine of a moveable nature in rivers, and ingenuity does not seem to have devised any thing more suitable, then the boats required, which are of a peculiar construction, should be numbered and registered, and their use, for any other purpose during the fence month, declared illegal. The nets, likewise, should be lodged along with the boats, in suitable houses. This arrangement we consider of great moment, as calculated to check the poacher, by increasing to a great degree the facilities of detection: in fact, it would go near to render his trade unpracticable.

Before closing our remarks on the salmon fisheries in rivers, it is necessary to advert to three engines of a most destructive character to the prosperity of the fisheries in their present unrestrained operation, viz. eel-traps, kidels, and mill-dams.

The salmon, the migrations of which we have already traced, leave the sea for the purpose of spawning in rivers. The reverse of this arrangement prevails with eels. Towards autumn these fish begin to leave the lakes, and descend the rivers to the sea, where they spawn. The young make their appearance on the shore during March, April, and May, searching out the rivers and streams, for the purpose of commencing their ascent to the lakes and pools in which they are destined to arrive at maturity. The period of the descent of the parent fish extends from the beginning of September to the end of November. The fishery is effected by baskets, nets, or other traps, fixed in the ordinary current of the stream, or into which the stream is directed by artificial means, and in these the eels are detained, and along with them all the other

other kinds of fish which are migrating towards the sea at the same time. Were these engines authorized to be used from the 1st of September to the 1st of December, the period during which the eels execute their migrations, and restrained as illegal throughout the remaining months of the year, all the advantages resulting from their use, as eel-traps, would be satisfactorily obtained. This arrangement, however, we are well aware, would but ill suit the views of their present possessors, who now employ them, under the pretext of eel-fishing, at those periods when there are no eels to catch, but when they are most successful as salmon-traps, in the capture of the descending spawned fish and the numerous fry. Every demand, therefore, on the part of the proprietors of eel-traps to be authorized by law to use them previous to September, or later than November, is the trick of a poacher, attempting to mislead.

The great labour constantly required in the management of moveable nets in rivers, and the number of fish which occasionally make their escape to the higher stations, led, at an early period, to the erection of a fixed apparatus of wooden lattices, or wicker-work, for the purpose of intercepting the migrating fish, and directing them into suitable labyrinths for capture. These engines, anciently termed *kidels* in England, and more recently fish-wears, or locks, and *trivies* in Scotland, differ in their form, extent, and composition, according to the resources or ingenuity of their proprietors. In many cases they extend across the stream, from bank to bank, and, consequently, intercept all the fish on their way to higher stations, and thus secure the monopoly of the stream. Where the whole river and its streams belong to one proprietor, such an engine would, unquestionably, be the most efficient and the least expensive, and might be so constructed and regulated as to be perfectly harmless. But where different proprietors have an interest in the river and tributary streams, the use of such an apparatus is equivalent to the monopoly of their fisheries. Even if this engine extended but a short way into the water from each bank, so as to leave a free space in the middle of the stream, of such an extent that it should, according to the ordinance of Alexander III. of Scotland, ‘in all parts be swa free; that ane swine, of the age of three zeirs, well fed, may turne himself within the streame, round about, swa that his snowt nor taill sall not touch the bank of the water,’ or, according to the interpretation of competent authority, ‘be free from any hedge, or heck, palisadoes, or rails, placed for interrupting the salmon,’ still this space can be so easily filled up by a temporary apparatus, as to enable the engine to intercept all the running fish; and there is abundance of evidence in the Reports to lead to the conviction, that

that the abuse now referred to is in full practice at all the kidels and cruives in the United Kingdom. In our opinion, fixed engines of this description, on all rivers with mixed property, should be every where abolished, agreeably to the declaration of their illegality in *MAGNA CHARTA*, where it is ordained, ‘*Omnes kidelli deponantur de cetero penitus per Thamesiam et Medweyam, et per totam Angliam, nisi per costeram maris.*’ Where such engines exist, by any supposed right which a court of law would sustain, the other proprietors of fishings in the river should be furnished with a power to remove them upon the payment of the value of the proven rent during fifteen or twenty years; and, while in exercise, they should be restrained to the margin of the stream, so that a third or a half of the channel should at all times be free from obstruction.

The importance of the water of rivers as a moving power in our manufactures is duly appreciated; but, unfortunately, in the arrangements usually made for its employment, the interests of the salmon fisheries have been strangely overlooked. When a river is dammed, by a wall thrown across the channel, and the principal part of the water directed into a mill-course, it is obvious that the spawned fish and the fry, in their descent, will follow the stream, enter this new bed, and pass on to their destruction at the water-wheel. It is equally obvious, that the sound fish, in their ascent from the sea, will be enticed to leave the channel of the river, enter the lower extremity of the mill-course, now the principal stream of water, and push onwards to the wheel, behind which they must remain. When the mill stops, and the course becomes dry, the salmon fall an easy prey to the miller, who is thus, besides having the water as a moving power, in possession of a kidel or cruive, more efficient as an engine for catching fish than any which human ingenuity has yet devised. The evidence in the Reports, demonstrating the existence and extent of this evil, appears to be complete; but were other proofs wanting, the extraordinary anxiety exhibited by many of the possessors of mills, to prevent the adoption of any remedy; the existence of corn-mills, kept in repair, which have no corn to grind; and the unceasing efforts to increase the height of the retaining wall of the dam, and consequently the diameter of the wheel, even where the required additional power could be obtained at a cheaper rate by increasing the width of the buckets, would abundantly mark the value of the poaching thus systematically practised.

For the purpose of removing the evils which have now been stated, it has been recommended to place a grating, or fender, at the opposite extremity of the mill-course, and thus prevent the fish, by mechanical means, from entering a channel, the copious
stream

stream in which offers a powerful inducement. Two eminent engineers were consulted, by the committee on this subject, but their observations embrace only a very limited branch of the subject. Any fender, or grate, placed at the mouth of a mill-course, at right angles to the stream, would obstruct the current of water, reduce its quantity, and thereby diminish its power, and the value of the mill. Two remedies here suggested themselves—either widening, or deepening the entrance to the course, at the place where the fender shall be placed. In many cases the former expedient, owing to contiguous buildings, could not be carried into effect; and by the latter, a deep pool would be formed, most convenient to the poacher. We may ask what effect would be produced on the moving power of a mill, were two or three hundred salmon swimming before the grate, and attempting to effect an entrance by inserting their noses between its bars? By extending the length of the fender, and placing it obliquely at the entrance, all inconvenient obstruction to the water would be guarded against, and the migrating fish would be directed into the dam or channel of the river, according to circumstances. (The width between the bars of the fender may equal an inch and a half, or two inches, (the dimensions which seem exclusively to have been contemplated by the committee and the engineers who were consulted,) so far as the interests of the parent fish are concerned; but, in order to prevent the fry from entering the mill-course, an object, surely, of importance to guard against, the bars would require to be placed at even a less distance than half an inch. One of the engineers recommends the fender, if inclined, to have the top sloping up the current, that the floating leaves might slip down the bars of the grate; but we imagine that the millers, if untrstrained, would place the slope in the opposite direction, that the floating leaves might slip up the bars to the surface, where they could be easily removed. Let us suppose that suitable fenders have been placed at each extremity of the mill-course, to prevent the entrance either of the parent fish or the fry;—we have still to investigate the character of other evils of vast amount, connected with the present construction of mill-dams, and imperiously requiring legislative interference. How are the descending spawned fish and fry to escape from the dam, or how are the ascending sound fish to reach the protection which it yields?

In some cases it is required by law, that there shall be a scuttle, or aperture, in the retaining wall of the dam, one foot square, and open during certain months of the year; or sluices, to be opened from Saturday night to Monday morning; the latter arrangement termed in Scotland the *Saturday's Slap*. But this scuttle, while it diminishes the value of the stream as a moving

moving power, confers but little benefit on the fisheries. The descending fish may effect their escape in safety through the furious torrent in the scuttle, but they will find themselves dispersed on a number of shallow unprotected pools, the consequence of the confined stream, after its escape, being suddenly distributed over the extended surface of the water. Were the scuttle placed at the top of the retaining wall, and this wall having a concave sustinid, with sloping sides into the dam and the channel, the water would be conducted, without impetuosity, into the channel, and the instant the mill stopped working, and the stream prevented from entering the mill-course, or the instant a flood occurred, the whole of the superfluous water would flow out in a stream suited to the migrations of the fish. Nor should a sluice in the middle of the wall be, in any case, neglected, equal at least to the area of the mill-course, or mill-courses, and kept open from six o'clock P.M. on Saturday, to six o'clock P.M. on Sunday. By this arrangement, there would be no loss of power to the mill, and a free run of twenty-four hours in each week would be given to the fish in all rivers from their sources to the sea. At present, the millers, who are the greatest poachers in the kingdom, prevent the fisheries from deriving any benefit, either from the scuttle or the sluice, where such have been established, by a variety of obstructive contrivances. Passing over various kinds of revolving machines, we may mention the very ingenious device of the corporation of Limerick, of placing in the gap something in the shape of a crocodile, or of an alligator, painted with very glowing colours, so as to frighten the salmon.

Human ingenuity, we have seen, has been exhibited in the use of various engines to secure salmon after they have entered the rivers; none have devices been wanting to effect their capture while yet in stations under influence of the tide. It has been stated that salmon, when they leave their unknown haunts, in deep water, approach the coast, and enter the estuaries, and there remain, moving about in shoals under the influence of the tide, until the rivers are in a suitable state to receive them. To attempt to capture fish, in such situations, by the moveable net, would be a wasteful expenditure of labour. In a river, this engine, if of sufficient size, gives the industrious fisherman a full command of the stream, especially if he arranges his resources so as to be sending out one net, while he is hauling in another, as the proprietors of the more inland streams feel to their cost. In the estuary, and on the sea-shore, the varying depth of the water, the inequalities of the bottom, the comparatively limited space which the net incloses, and, above all, the frequent swell of the water, lifting the net from the bottom, and giving to the fish a ready

ready way to escape, offer such obstacles to the moveable net as to render it, in such stations, almost a useless engine. The method, which had so frequently presented itself to savage tribes, of employing a net to act by the ebbing and flowing of the tide, appears to have been in use on the British shores from an early period. It is the *kidel* referred to in Magna Charta, and the *novus mos piscandi* of Hector Boece. By means of upright posts fixed in the sand, and extending from the shore to low-water mark, nets are kept suspended and stretched, so as to direct the fish, moving with the tide, into suitable courts or labyrinths, where they are detained and left accessible to the fisher, on the ebbing of the tide. These *tide-nets*, which in Scotland have obtained the denomination of *stake-nets*, capture both the fish moving into the estuary with the flood, and those moving out of the estuary with the ebb-tide. The fish which these nets entangle are in the best possible state, having recently arrived from deep water, and they are in a situation to be conveyed to the market in the speediest manner. Yet, in spite of the antiquity of this method of fishing, and its obvious efficiency, there are not wanting individuals who long for its abolition, and who wish it to be declared unlawful for a proprietor of fisheries on the sea-coast to employ the tide to his advantage. Before, however, discussing this branch of the question, it may be necessary to inquire into the restrictions at present imposed by law on these tide-nets, and to what extent they may be employed, without injuring the public interests of the fisheries.

If we attend to the natural history of the salmon fry, we shall find, that in rivers, even where these are under the influence of the tide, the tender beings descend in myriads at the margin of the stream; but when they reach the head of the estuary, they betake themselves to the shelter of the deep and salt water. If fixed nets be erected in those places, in rivers which are frequented by the fry, the injury to the fisheries, arising from their destruction, will be great indeed. It was to guard against this evil that they were prohibited in rivers, in England, by Magna Charta, and in Scotland by an act of Robert I. ; while they were left unfettered in their use on the sea-coast. But at what point are we to assign the limit, riverward of which the tide-nets ought to be prohibited? It is the want of precision, in our statutes, in reference to this point, that has created in our estuaries an extent of debatable ground, the disputes concerning which have led to the present parliamentary inquiry. It is fortunate for those senators, who are now called upon to legislate on a subject which their predecessors overlooked, that there is a natural limit, riverward of which tide-nets can, in no ordinary circumstances, injure
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or intercept either the descending spawned fish or the fry; and that limit is the point where the river is intersected by the mean level of the sea, and where the fish, migrating downwards, avoid the margin from its turbulent character, and occupy the middle and bottom of the estuary. We are aware, that there is another natural limit, which has been proposed, viz. the point of constant ebbing or flowing, or point of stagnation at the head of the estuary. Though this point will seldom be far distant from the other, it is inferior to it in permanency of character, since it will be found more seaward in winter than in summer, and during floods than in the ordinary state of the river, as it is the point where the antagonist currents neutralize each other in a common level.

If tide-nets be permitted at the mouths of rivers, even for some distance seaward of the point where the river naturally ceases, they will be productive of two evils, against which it is necessary to guard. They will interrupt the trade in the river, in ships and boats, and thereby prove a nuisance in a commercial country. They may be so arranged, even when prohibited beyond low-water mark, as to intercept all the fish about to enter the river, and thus deprive the proprietors of inland fisheries of all share in the spoil. But both these evils admit of a very simple remedy. In no case, in an estuary having a *bar* at its junction with the sea, should the outer posts of the nets extend beyond low water, so as to preserve entire the full stream of the river to the sea; and in no case should they occupy a space on the banks on each side of the estuary, exceeding the tenth part of the breadth occupied by the water at the flood of neap tides. By such an arrangement, the navigation of the head of the estuary would not be interrupted, or monopoly of the fish acquired.

It is not to be disguised, that tide-nets, even when restrained in estuaries within the limits now recommended, have been held up to public odium, as detrimental in the extreme to the true interests of the fisheries, and as interfering with the natural and vested rights of the inland proprietors. After an attentive examination of all the objections to the use of tide-nets, we have been led to trace them, exclusively, either to ignorance of their real nature, or to the most unjustifiable selfishness. It was, at one time, confidently asserted, that the tide-nets destroyed the fry and the descending spawned fish; but we presume that this idle declamation has ceased, since the publication of the Reports, wherein it is demonstrated that the places most suitable for the erection of tide-nets, under the limitations already noticed, are those places which neither the fry nor the spawned fish frequent.

It has been somewhat hastily announced that salmon, being
bred

bred in rivers, belong to the owners of river property, and not to the proprietors on the banks of the estuaries or the sea-shore. In this view of the matter it seems to be forgotten that the fry leave the rivers as speedily as possible, to obtain in the sea those sources of nourishment suited to their youth, which their birth-place cannot afford them. But *if* we must admit that salmon are the property of those in the fords of whose streams they have been bred, then those only ought to have liberty to catch fish who have spawning fords; and the numerous and important fisheries, at present the most valuable in the kingdom, which are situated in rivers near their confluence with estuaries or the sea, must be proscribed as scenes of poaching,—a conclusion, we suspect, not very acceptable to many who have urged the objection with great vehemence. It seems unnecessary to point out the bearings of this branch of the question on the fishery of eels, animals bred in the sea.

It has likewise been asserted that salmon, upon leaving the sea, always return to the rivers in which they were bred. We stop not at present to compare this unrestrained statement with those laws which influence the peopling of the globe, to which it stands *directly opposed*; nor do we advert to those facts in the history of migrating animals, which would give to the statement *some* countenance—were it greatly limited. A moment's reflection on the nature of the migrations of salmon, the foes by which they are pursued, and the social instincts by which they are connected in shoals, would lead us to doubt the possibility of the same fish always being in a condition to return to their native rivers. It is well known that haddocks, herrings, and many other kinds of fish, influenced by causes yet unknown, abandon in a desultory manner their ordinary haunts. Nor are salmon exempted from these changes. During the last summer the Irish fisheries were unprecedentedly productive, while those of Scotland were in opposite circumstances.

But admitting that salmon always return to their breeding ground, and those captured by the nets of the estuary and shore fishers to be stolen from their legitimate owners, the proprietors of the salmon fords, how is the evil to be remedied? Let us suppose that all the fishings have been restrained seaward of the first spawning ford,—we may ask the proprietor of this station how he could fish with safety and avoid catching salmon not his own, having been bred in the fords of a more inland proprietor? We might proceed, and ask the same question of the proprietor of every spawning ford seaward of the highest in the river; and when we came to this highly-favoured individual, we might congratulate *him* on the position he occupied, which rendered *him* necessarily an honest fisher, since all the salmon *he* could catch were his own property.

The most formidable objection which has been stated by the proprietors

proprietors of inland fisheries, against the use of tide-nets, remains to be stated, and one which seems unanswerable—that they catch fish which would have entered the river, and fallen victims to other adventurers. But the same objection applies, with equal force, to the fishers in rivers, especially those near the mouth, who capture fish which would have ascended to higher stations. In point of fact, so far as individuals are concerned, every fishing station in a river is a nuisance to those more inland, and its owners bear a grudge to all those occupying a more seaward position, so that unanimity of opinion, in reference to the enactments of any statute, need not be expected. It is for the interest of the public to prevent monopoly, by diffusing the sources of wealth as equally as possible; and to permit, nay encourage, every proprietor to derive emolument from his local advantages. It cannot be the object of parliament to deprive the proprietors of fishing stations in estuaries of the advantages which they may derive from the changes of the tide, as a substitute for human labour, or to compel them to employ those engines only which are suited to the circumstances of their more inland neighbours. It cannot be the object of parliament to prevent the proprietors of estuary fishings from capturing with suitable engines those fish which are roaming along their boundaries, in the healthiest and the fattest condition, in order that the seals and the grampuses may enjoy a feast, rather than our citizens; or that, by the help of these monsters, the supply may be diminished, and the value of the produce of the river fisheries increased. We hope and confidently expect that the new statute will check a monopoly which, to a certain extent, exists at present with those who possess the more seaward of our river fisheries, and guard against many evils which the present system not only overlooks but encourages. It is true that, in the arrangements which we have ventured to recommend, from an impartial examination of the whole bearings of the question, the fishing season may appear to be circumscribed within too narrow limits. We have, however, constantly kept in view the great national object of securing the permanency of our salmon fisheries, and we have little hesitation in believing that the use of the same means would increase their *productiveness* ten fold. Nor can we conclude without expressing a hope that some suitable legislative enactment may be *speedily* announced, since, during the protracted investigation by a Committee of the House of Commons, extending to nearly four years, those whose capital is engaged in our salmon fisheries have been kept in a painful state of suspense,—the poacher has fancied that all restraints on his career have ceased,—while the patriot laments the spoiling of a most valuable source of our national wealth.

ART.

ART. III.—*A Selection from the Public and Private Correspondence of Vice-Admiral Lord Collingwood, interspersed with Memoirs of his Life.* By G. L. Newnham Collingwood, Esq., F.R.S. London. 1828.

WE have been more highly gratified and instructed than we could possibly have expected, by the perusal of the history and letters of this noble and gallant officer; whose name, except on one memorable occasion, has never attracted a prominent share of notice among those which belonged to the public characters of his day. And yet his services were of the most important nature, and most ably conducted, at a crisis, too, big with danger, not to England alone, but to all civilized Europe; but the field of action in which he was chiefly engaged, though extensive, was at a distance from home. We are only surprised that Mr. Newnham Collingwood, his lordship's son-in-law, should have so long delayed this act of justice to the public, as well as duty to the deceased, in making his countrymen acquainted with his extraordinary merits; in the performance of which, however, though late, we can safely assure him he has entitled himself to the thanks of every class of readers, and more especially to those of every rank, from the highest to the lowest,—from the commander-in-chief to the midshipman—of that profession of which, as it now appears, Lord Collingwood was so distinguished an ornament. We say *now*, because, until the present volume saw the light, the public at large were utterly unacquainted with a title of the merit which this great and amiable man possessed. It was known, it is true, that he bore a gallant share in the victory of the 1st of June, and that, by caprice or ignorance, by accident or gross injustice, he was not included by Lord Howe among those who received medals for their conduct on that day. It was known that he nobly seconded the gallant and romantic Nelson in the victory of Cape St. Vincent, and in that most glorious of all victories—Trafalgar—which gave the death-blow to the united fleets of France and Spain; but little or nothing was known of the arduous, extensive, and most important services which, for the five succeeding years, he had to conduct as commander-in-chief of the Mediterranean station, the incessant fatigue and anxiety of which brought on the disease that terminated his valuable life. These are now, for the first time, made generally known, and in the best and most agreeable way, by the publication of his lordship's correspondence, with the editor's remarks, which compose the volume before us.

It was during this important command that the greater part of the Correspondence took place; and it is one that displays Lord Collingwood not only in the light of an active, intelligent, and brave officer,

officer, but also as a most amiable, generous, warm-hearted and affectionate man, in all the relations of husband, father, and friend. His letters, a great part of which were never intended to see the light, are those of an accomplished gentleman, gifted with a superior degree of intellect, and adorned with all those qualities which command the love and esteem of mankind. They are not less admirable for the elegance and purity of style, than for the candour and boldness of opinion, the nobleness of sentiment, and the zeal, every where manifested, for the honour and integrity of the profession to which he belonged. We trace in them a never-ceasing anxiety for the welfare and prosperity of his country, and a longing desire to meet her enemies, under a well-grounded hope of adding fresh laurels to the martial renown which he had gained, jointly with his bosom friend and companion, the immortal Nelson; whose thirst for fame might perhaps have taken a more ardent and impassioned character, but could not have been more greatly and nobly sincere than that of the modest, unpretending, unostentatious Collingwood—to whom may truly be applied the beautiful lines of our great poet:

‘Fame is the spur that the clear spirit doth raise
(That last infirmity of noble mind!)
To scorn delights, and live laborious days;
But the fair guerdon when we hope to find,
And think to burst out into sudden blaze,
Comes the blind fury with th’abhorred shears,
And splits the thin-spun life——but not the praise’.

we may safely add—for *that* will attach to the name of Collingwood as long as England shall continue to cherish her last best hope—the Navy. The whole life, indeed, of this great commander was devoted to the service of his country, and the arduous duties of his profession; to the long and laborious discharge of which it was at last sacrificed.

It has been commonly but very erroneously supposed that, like the celebrated Cook, Lord Collingwood was brought up to the sea as a collier, whereas his family, though not opulent, was ancient and honourable.* He was born at Newcastle, in the year 1750, and
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* His ancestor, Sir Cuthbert Collingwood, of Essington, was one of the English knights taken by the Scots at what was called the Raid of the Reidswire, and he is accordingly mentioned in the Border Minstrelsy—

But if ye would a souldier search,
Amang them a’ were taen that night,
Was nane sae wordie to put in verse
As Collingwood, that courteous knight.

The Collingwoods suffered severely from their devotion to the cause of Charles I., and were subsequently deprived of almost all their land in consequence of their participation in the insurrection of 1715, when the head of the family was taken prisoner and put to death

was brought up in the same school with those illustrious brothers Lord Eldon and Lord Stowell, but sent to sea, in 1761, at eleven years of age, in the Shannon, under the care of a friend and relation, the late Admiral Brathwaite. In 1775 he was made a lieutenant, on the day that the battle was fought at Bunker's Hill, at which he was present. Of these early periods of his service we have no further information. There is sufficient evidence, however, in his Correspondence, of his having given a close application to study. It is obvious, indeed, that nothing short of extensive reading could have supplied him with that comprehensive knowledge, and that clear and energetic style of writing, which he employs on all occasions whether public or private. And here we may observe how frequently we find naval officers, who must necessarily have entered the service at the early age of eleven to thirteen years, not only expressing themselves well in their epistolary correspondence, but able to perform, as they are frequently called upon to do, the office of skilful *diplomats*. 'I know not,' said one of the most eminent of these gentlemen, with whom he had afterwards very frequent communications, 'I know not where Lord Collingwood got his style, but he writes better than any of us;' so little truth is there in the sweeping observation of a French writer, that '*les marins écrivent mal.*' The extracts which we shall lay before our readers will evince that Lord Collingwood is one brilliant exception from this rash rule.

It appears that Lords Nelson and Collingwood had become acquainted in the very early periods of their services. In 1776 they met as lieutenants in Jamaica, when Sir Peter Parker had the command of that station; and that admiral being the friend of both, 'whenever,' says Collingwood, 'Nelson got a step in rank, I succeeded him; first in the Lowestoffe, then in the Badger, into which ship I was made commander in 1779, and afterwards in the Hinchinbroke, which made us both post-captains.'

In the recent era of projects, which has happily expired by suicide, among many wild speculations, not the least wild was that of opening a navigable communication through some part of the isthmus of Panama; and the one which was considered the most plausible was that by the river San Juan and the lake Nicaragua. Let us see what Lord Collingwood has to say on this old project, lately attempted to be revived.

death, like his friend Lord Derwentwater; who is made to address him, in the ballad called *Derwentwater's Good Night*, in a gallant stanza, which we wonder the present writer did not quote,

'And fare thee well, George Collingwood,
Since fate has put us down;
If thou and I have lost our lives,
King James has lost his crown.'

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‘The Hinchinbroke was, in the spring of 1780, employed on an expedition to the Spanish main, where it was proposed to pass into the South Sea, by a navigation of boats along the river San Juan, and the lakes Nicaragua and Leon. The plan was formed without a sufficient knowledge of the country, which presented difficulties not to be surmounted by human skill or perseverance. It was dangerous to proceed on the river, from the rapidity of the current, and the numerous falls over rocks which intercepted the navigation; the climate, too, was deadly, and no constitution could resist its effects. At San Juan I joined the Hinchinbroke, and succeeded Lord Nelson, who was promoted to a larger ship; but he had received the infection of the climate before he went from the port, and had a fever, from which he could not recover until he quitted his ship and went to England. My constitution resisted many attacks, and I survived most of my ship’s company, having buried, in four months, 180 of the 200 who composed it. Mine was not a singular case; for every ship that was long there suffered in the same degree. The transports’ men all died; and some of the ships, having none left to take care of them, sunk in the harbour; but transport-ships were not wanted, for the troops whom they had brought were no more: they had fallen, not by the hand of an enemy, but from the contagion of the climate.’—pp. 6-7.

After the peace of 1783 Nelson and he again met and served together in the West Indies, which Collingwood left in 1786, and went into his native county, Northumberland. But in 1790, on the Spanish armament, he was appointed to the *Mermaid*, and again went to the West Indies; returned to the north when the affair had blown over, and was married to Miss Sarah Blackett; by whom he had two daughters, one born in 1792, and the other in 1793. On the breaking out of the French war, in the latter of these years, he was appointed captain of the *Prince*, then bearing the flag of Rear-Admiral Bowyer, with whom he served until the admiral lost his leg in the action of the 1st of June, in the *Barfleur*.

In this action, as well as in the partial one of the 29th May, the conduct of the *Barfleur* was most conspicuous; and the rear-admiral was mentioned by Lord Howe with well-merited praise, while her captain was passed over without notice. This act of capricious partiality and flagrant injustice was received with surprise and disgust in the fleet. The rear-admiral, shortly after the battle, thus speaks of him:

‘I do not know a more brave, capable, or a better officer, in all respects, than Captain Collingwood. I think him a very fine character; and I told Lord Chatham, when he was at Portsmouth, that if ever he had to look for a first captain to a commander-in-chief, I hoped he would remember that I pledged myself he would not find a better than our friend Collingwood.’

Captain Pakenham, of the *Invincible*, which was as close to the

Barfleur, the whole action, 'as if,' says Collingwood, 'she had been lashed to us,' used to say, 'if Collingwood has not deserved a medal, neither have I; for we were together the whole day.'

This ill-usage, however, was far from making him think of retiring: on the contrary, we find him writing thus:—'what should I suffer if, in this convulsion of nations, this general call of Englishmen to the standard of their country, I should be without occupation?—a miserable creature! While it is England, let me keep my place in the front of the battle.' He was appointed to the *Excellent*, and sent to the Mediterranean; where he was fortunate enough again to meet with his old friend Nelson, in the command of the *Captain*, blockading Leghorn; both, however, soon appear to have been heartily sick of the wearisome, tantalizing, inglorious task of watching the French shut up in this and the other harbours of the Mediterranean. The only port left to us at this time was in Corsica, of which island we had taken possession, and of the inhabitants of which Lord Collingwood gives us the following lamentable picture.

'The least offence offered to one of the inhabitants is resented by a stab, or a shot from behind a wall. Yesterday one of them stabbed another in the public square, and walked away, wiping his dagger, while no one attempted to stop him, or seemed to think it a violent measure, concluding, I suppose, that he had a good reason for what he did. Some bad carpenters were discharged from the yard on Saturday, because they were not wanted, and on Sunday morning they took a shot at Commissioner Coffin, as he walked in his garden, but missed him.'—p. 23.

'Corsica produces nothing but wild hogs, and we have made them dear. If we are obliged to abandon it, none will lament the loss except those who have good appointments there.' It is maintained at an immense expense, and it is ridiculous that it should be; for I think neither the people nor the country capable of being improved, nor does all the money that is lavished there give us any influence. Paoli in England could stir the whole country to revolt and rebellion, by expressing his wish that it should be so on a quarter of a sheet of paper. He was bred in the Jesuits' College, at Naples, and is an artful man, whose whole life has been a continued scene of intrigue: he does not profess arms, and I heard at Ajaccio, from some Corsicans, that he was never in a field of battle. So much for my politics.'—p. 26.

'Miserable Corsica produces nothing but rebels and officers: viceroys, secretaries of state, and governors, we have in plenty; and the military establishment, till lately, was excessive, even to a farce. In return for all this, we get wood and water. The favourable reports which have been made of this island are shameful falsehoods, and show how blind people are to the truth, when it interferes with their interests, or checks their vanity.'—p. 27.

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But brighter days, more congenial with the feelings of the two gallant friends, succeeded to the dull and harassing system of blockade. Both had the good fortune to share in the battle of the 14th February, 1797, off Cape St. Vincent; in which Nelson performed feats of valour, and Collingwood was acknowledged, by Lord St. Vincent, to have 'contributed very much to the fortune of the day,' particularly by relieving his old friend's ship, the Captain, when engaged with two of the enemy's ships at a time. In a letter to his wife, Captain Collingwood thus describes this partial but glorious action.

'We flew to them as a hawk to his prey, passed through them in the disordered state in which they were, separated them into two distinct parts, and then tacked upon their largest division. The Culloden, and Captain, Commodore Nelson's ship, were the first that brought them to close action. I by chance became the admiral's leader, (for the circumstances were such as would admit of no regular order,) and had the good fortune to get very early into action. The first ship we engaged was the *San Salvador del Mundo*, of 112 guns, a first rate; we were not farther from her when we began than the length of our garden. Her colours soon came down, and her fire ceased. I hailed, and asked if they surrendered; and when by signs made by a man who stood by the colours, I understood that they had, I left her to be taken possession of by somebody behind, and made sail for the next, but was very much surprised on looking back to find her colours up again, and her battle recommenced. We very soon came up with the next, the *San Isidro*, 74, so close alongside, that a man might jump from one ship to the other. Our fire carried all before it; and in ten minutes she hauled down her colours; but I had been deceived once, and obliged this fellow to hoist English colours before I left him, and made a signal for somebody behind to board him, when the admiral ordered the *Lively* frigate to take charge of him. Then making all sail, passing between our line and the enemy, we came up with the *San Nicholas*, of 80 guns, which happened at the time to be abreast of the *San Joseph*, of 112 guns; we did not touch sides, but you could not put a bodkin between us, so that our shot passed through both ships, and, in attempting to extricate themselves, they got on board each other. My good friend, the commodore, had been long engaged with those ships, and I came happily to his relief, for he was dreadfully mauled. Having engaged them until their fire ceased on me, though their colours were not down, I went on to the *Santissima Trinidad*, the Spanish Admiral Cordova's ship, of 132 guns, on four complete decks—such a ship as I never saw before. By this time, our masts, sails, and rigging, were so much shot, that we could not get so near her as I would have been; but near enough to receive much injury from her, both in my men and ship. We were engaged an hour with this ship, and trimmed her well; she was a complete wreck. Several others of our ships came up, and engaged

her at the same time ; but evening approaching, and the fresh Spaniards coming down upon us, the admiral made the signal to withdraw, carrying off the four ships that had surrendered to our fleet.'—pp. 30, 31.

And in one addressed to his father-in-law, he says,

'Take it altogether, it is, perhaps, the most brilliant action upon record ; and I cannot help feeling an almost spiteful satisfaction that Lord Howe is outdone. His 1st of June (grand as it was) bears no proportion, in any respect, to this. There, the number of ships was nearly equal ; here, the enemy were nearly double—28 guns more would have made them double our force : there, they had only two 3-deckers, and we had eight or nine ; here, the enemy had six 3-deckers, and one (the Santissima Trinidad) of 4 decks, while we had only two first-rates, and four 90-gun ships, and of our fifteen ships, one was a little 64, the Diadem. I am sure you will admire the fortitude and magnanimity of Sir John Jervis, in determining to attack so superior a force ; but should we not be grateful to him who had such confidence in his fleet, that he thought no force too great for them ? Though the different ships were very differently circumstanced, and bore unequal shares in the action, all have the merit of having done their utmost. After I had driven the San Nicholas on board the Josef, and left them, on their fire ceasing, to be taken possession of by somebody behind, they fell on board my good friend the commodore ; and as they had not surrendered, he, in his own active person, at the head of his ship's company, boarded them, and drove the Spaniards from deck to deck at the point of their swords. They at last both surrendered ; and the commodore, on the quarter-deck of a Spanish first-rate, San Josef, received the submission and the swords of the officers of the two ships, while one of his sailors bundled them up with as much composure as he would have made a faggot, though twenty-two sail of their line were still within gun-shot.'—p. 32.

Nor was Nelson backward in acknowledging the services and gallant conduct of his friend on this occasion. In a letter to the Duke of Clarence, he says,

'The Salvador del Mundo and San Isidro dropped astern, and were fired into in a masterly style by the Excellent, who compelled the San Isidro to hoist English colours, and I thought the large ship Salvador del Mundo had also struck ; but Captain Collingwood, disdaining the parade of taking possession of beaten enemies, most gallantly pushed up, with every sail set, to save his old friend and messmate, who was to all appearance in a critical situation, the Captain being actually fired upon by three first-rates and the San Nicholas, the seventy-four within about pistol-shot distance. The Blenheim being a-head of the San Nicholas, and the Culloden crippled and astern, the Excellent ranged up, and hauling up her mainsail just astern, passed within ten feet of the San Nicholas, giving her a most awful and tremendous fire. The San Nicholas luffing up, the San Josef

Josef fell aboard of her, and the Excellent passed on to the Santissima Trinidadada.'—pp. 34, 35.

To himself Nelson writes thus: 'My dearest friend, "A friend in need is a friend indeed," was never more truly verified than by your most noble and gallant conduct yesterday, in sparing the Captain from further loss; and I beg, both as a public officer and a friend, you will accept my most sincere thanks.' Indeed, the conduct of the Excellent was the theme of praise from all quarters, which her commander appears to have received with feelings of gratitude, and with that becoming modesty which through all his career formed a marked feature in his character. When Lord St. Vincent informed him that he was to receive one of the medals distributed on this occasion, he told the admiral, with great feeling and firmness, that he could not consent to receive a medal while that for the 1st of June was withheld. 'I feel,' said he, 'that I was then improperly passed over, and to receive such a distinction now, would be to acknowledge the propriety of that injustice.' 'That is precisely the answer I expected from you, Captain Collingwood,' was Lord St. Vincent's reply. Soon after this, the two medals were transmitted, at the same time, by Lord Spencer, with a civil apology for some delay in transmitting that for the 1st of June.

Towards the end of 1797, we find Captain Collingwood blockading Cadiz, by the strictness of which the Spanish trade was totally ruined; 'but our active and offensive operations,' he observes, 'have not been so successful.' Nelson had been detached with three ships, to make an attack on the island of Teneriffe. Of this unfortunate expedition, Collingwood gives the following account:—

'My friend Nelson, whose spirit is equal to all undertakings, and whose resources are fitted to all occasions, was sent with three sail of the line and some other ships to Teneriffe, to surprise and capture it. After a series of adventures, tragic and comic, that belong to romance, they were obliged to abandon their enterprise. Nelson was shot in the right arm when landing, and was obliged to be carried on board. He himself hailed the ship, and desired the surgeon would get his instruments ready to *disarm* him; and in half an hour after it was off he gave all the orders necessary for carrying on their operations, as if nothing had happened to him. In three weeks after, when he joined us, he went on board the admiral, and I think, exerted himself to a degree of great imprudence. Captain Bowen was killed, and his first Lieutenant, Thorpe, for whom I was very sorry: he was a fine young man, and promised to be an excellent officer. Captain Troubridge, who commanded on shore, after many adventures in the night, was obliged to retire to a convent, where he collected the remains of his forces, without ammunition, except what they took from the

the prisoners they made; and from this convent they demanded the surrender of the citadel, and threatened the town with ruin. In the presence of the priests, they were employed in preparing torches, fire-balls, and all the necessary apparatus for conflagration; and they in terror fled to the governor, to entreat him to grant to those mad Englishmen any terms by which they might get rid of them. He being a worthy, sensible man, full of admiration even at the extravagance of the English seamen, and dreading, perhaps, the effects of their despair, made propositions to them of so much kindness, that they were not to be rejected. The Spaniards found boats to embark them all in their ships again; and before they parted, gave to every man a loaf and pint of wine, for our boats were all dashed to pieces in landing, and the provisions lost in the sea. Captains Troubridge and Hood afterwards dined with the governor, and they parted good friends; but we lost in killed and wounded above 250 men.'—pp. 52, 53.

Not long after this, the Excellent was ordered to England, not, however, before the account of the battle of the Nile had reached the blockading squadron before Cadiz; and on that occasion Collingwood thus writes to his friend, Captain Ball.

'I cannot express to you how great my joy was when the news arrived of the complete and unparalleled victory which you obtained over the French, or what were my emotions of thankfulness that the life of my worthy and much respected friend was preserved through such a day of danger, to his family and his country. I congratulate you, my dear friend, on your success. Oh, my dear Ball, how I have lamented that I was not one of you! Many a victory has been won, and I hope many are yet to come, but there never has been, nor will be perhaps again, one in which the fruits have been so completely gathered, the blow so nobly followed up, and the consequences so fairly brought to account. I have been almost broken-hearted all the summer. My ship was in as perfect order for any service as those which were sent; in zeal I will yield to none; and my friendship—my love for your admirable admiral gave me a particular interest in serving with him. I saw them preparing to leave us, and to leave me, with pain: but our good chief found employment for me, and to occupy my mind, sent me to cruise off St. Luccars, to intercept—the market-boats, the poor cabbage-carriers. Oh! humiliation. But for the consciousness that I did not deserve degradation from any hand, and that my good estimation would not be depreciated in the minds of honourable men by the caprice of power, I should have died with indignation. I am tired of it; and you will believe I am glad that tomorrow I depart for England.'—pp. 62, 63.

In January, 1799, the Excellent was paid off, by which Captain Collingwood was enabled to return to his beloved family in the north: but his repose was of short duration, for in a few weeks he was raised to the rank of rear-admiral, and ordered to hoist his flag in the *Triumph*, then belonging to the Channel fleet; and

and in the month of July, of the same year, we find him off Mahon. On the 11th July, he writes to say, 'You must not be surprised if you hear of the arrival of the combined fleets of Carthagera at Brest,' a prediction that was speedily fulfilled; for on the 21st of that month, this fleet sailed for Brest, followed by Lord Keith, who had been shut up in Mahon, and who, on his arrival off the former harbour, on the 14th August, discovered that the enemy had entered it the preceding day. The long blockade of Brest, it is well known, was extremely harassing and irksome to those employed on it, and the rigorous system pursued, of keeping the ships out at all seasons, and preventing communication with each other, as well as all accommodation for correspondence with their friends at home, created disgust throughout the whole fleet. No man could be more attached to his profession than Admiral Collingwood, and none had more correct notions of discipline; but this blockade of Brest seems to have annoyed him equally with others:

'No regard,' (he says,) 'is paid to letters coming or going, which was always an object of the first consideration with Lord Bridport, Lord St. Vincent, and Sir Allan Gardner. Of public matters we know nothing; for we do not even get a newspaper. We are immured within the sides of our ships, and have no knowledge of the world or its ways. I do assure you, when I reflect on my long absence from all that can make me happy, it is very painful to me; and what day is there that I do not lament the continuance of this war? We are wandering before this port, with no prospect of change for the better. Nothing good can happen to us short of peace. Every officer and man in the fleet is impatient for release from a situation which daily becomes more irksome to all. I see disgust growing round me very fast. Instead of softening the rigours of a service which must, from its nature, be attended with many anxieties, painful watchings, and deprivation of every thing like comfort, a contrary system is pursued, which has not extended to me; but I see its effects on others, and deplore them. What I feel as a great misfortune, is, that there is no exercise of the military part of the duty, no practice of those movements, by a facility in which one fleet is made superior to another. Whoever comes here ignorant in these points, must remain so; for he will find other employment, about blankets, and pig-sties, and tumbling provisions out of one ship into another. How the times are changed! Once, when officers met, the first question was,—What news of the French? is there any prospect of their coming to sea? Now there is no solicitude on that subject, and the hope of peace alone engages the attention of every body.'—p. 69.

The following letter to his father-in-law, dated from Torbay, speaks most strongly the feelings of a mind harassed and almost worn out, by that unremitting and rigorous system of blockade, not

not less injurious to the ships than to their crews; and expensive beyond measure, as one third part more than the otherwise necessary number of ships were required for reliefs.

‘It is a great comfort to me, banished as I am from all that is dear to me, to learn that my beloved Sarah and her girls are well. Would to heaven it were peace! that I might come, and for the rest of my life be blessed in their affection. Indeed, this unremitting hard service is a great sacrifice, giving up all that is pleasurable to the soul, or soothing to the mind, and engaging in a constant contest with the elements, or with tempers and dispositions as boisterous and untractable. Great allowance should be made for us when we come on shore; for being long in the habits of absolute command, we grow impatient of contradiction, and are unfitted for the gentle intercourse of quiet life. I am really in great hopes that it will not be long before the experiment will be made upon me, for I think we shall soon have peace; and I assure you that I will endeavour to conduct myself with as much moderation as possible. I have come to another resolution, which is, when this war is happily terminated, to think no more of ships, but pass the rest of my days in the bosom of my family, where I think my prospects of happiness are equal to any man’s.’—p. 70.

The short truce of 1802 enabled Admiral Collingwood once more to return to his family at Morpeth, where he enjoyed a brief period of happiness in superintending the education of his daughters.

‘His amusements,’ says his biographer, ‘were found in the intercourse with his family, in drawing, planting, and the cultivation of his garden, which was on the bank of the beautiful river Wansbeck;’ but, he continues, ‘while, in cheerfulness and tranquillity, he was thus fully realising those hopes of happiness which he had so long entertained, hostilities with France re-commenced; and in the spring of 1803 he was once more called away from his home, to which he never returned again. The exact date of his departure from the north does not appear; but in the narrative of his life, from which several extracts have already been made, he observes, “Since 1793 I have been only one year at home. To my own children I am scarcely known; but while I have health and strength to serve my country, I consider that health and strength to be its due; and if I serve it successfully, as I have ever done faithfully, my children will not want for friends.”’—p. 79.

We have found, much to our satisfaction, another great *planter* in Lord Collingwood. To his trees he continually recurs in his letters to his family: often does he express his sorrow that so many of the *Terrarum Domini* should neglect their woods ‘merely because one can’t put in oaks this year and play at cards with them in St. James’s-street the next.’ In fact, he considered the customary neglect of our forests, as a circumstance likely to entail
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the most serious national evils on future generations. He used, it seems, to correspond regularly with his old gardener on rural matters, especially the nursery-ground, and we wish Mr. N. Collingwood had given us at least one specimen of that correspondence. But we must proceed.

In the month of May he joined Admiral Cornwallis off Brest, who observed, 'Here comes Collingwood, the last to leave, and the first to rejoin me.' His first ship was the *Venerable*; from her he shifted his flag to the *Culloden*; from her to the *Dreadnought*; and lastly, into the *Royal Sovereign*. It was in this ship he sustained so glorious a part in the battle of Trafalgar. That this battle was to be fought, Collingwood, with that foresight which forms a marked feature in his correspondence, was fully convinced, so early as the middle of August, when he writes to his friend, 'We shall have a rattling day of it very soon,' and ends his letter by saying, 'You shall not be disappointed.' On the 6th October, he writes to Lord Nelson, who had just joined the fleet, 'We shall have these fellows out at last, my dear lord.' That unreserved confidence, which had on all former services subsisted between these two great officers, immediately recommenced. Nelson sent him all his dispatches to read, with a key to his secret box, which he desired him to keep, and he adds, 'Telegraph upon all occasions without ceremony. We are one, and I hope ever shall be.'

On the 9th, Nelson transmits to him his plan of attack,

'To place you,' he says, 'perfectly at ease respecting my intentions, and to give full scope to your judgment for carrying them into effect.'—'We can, my dear Coll,' he continues, 'have no little jealousies; we have only one great object in view,—that of annihilating our enemies, and getting a glorious peace for our country. No man has more confidence in another than I have in you; and no man will render your services more justice than your very old friend.'

The plan of attack met with the most cordial concurrence of Admiral Collingwood.

The conduct and the results of this battle are well known. Every body has read and admired that beautiful letter of Collingwood, which describes the victory and the death of the 'ever-to-be lamented vice-admiral, Lord Viscount Nelson;' in which, as his biographer truly observes, 'he has, with singular modesty, been silent respecting his own achievements,'—achievements which well deserved to be recorded. It were needless to say, that his noble bearing was in perfect unison with every feeling and act of his life.

'It has been said,' (it is Mr. N. Collingwood who speaks) 'that no man is a hero in the eyes of his valet-de-chambre; but that
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this is not universally true, is proved by the account which was given to the Editor by Mr. Smith, Admiral Collingwood's valued servant. "I entered the Admiral's cabin," he observed, "about daylight, and found him already up and dressing. He asked if I had seen the French fleet; and on my replying that I had not, he told me to look out at them, adding that, in a very short time, we should see a great deal more of them. I then observed a crowd of ships to leeward; but I could not help looking with still greater interest at the Admiral, who, during all this time, was shaving himself with a composure that quite astonished me." Admiral Collingwood dressed himself that morning with peculiar care; and soon after, meeting Lieutenant Clavell, advised him to pull off his boots. "You had better," he said, "put on silk stockings, as I have done: for if one should get a shot in the leg, they would be so much more manageable for the surgeon." He then proceeded to visit the decks, encouraged the men to the discharge of their duty, and addressing the officers, said to them, "Now, gentlemen, let us do something to-day which the world may talk of hereafter."—pp. 107, 108.

Admiral Collingwood had shifted his flag about ten days before the action, from the Dreadnought into the Royal Sovereign. The crew of the former had been so constantly practised at the exercise of the great guns, under his immediate superintendence, that few ships' companies could equal them in rapidity and precision of firing: they could fire, it is said, three well-directed broadsides in three minutes and a half. To leave a crew thus disciplined was to give up a most important advantage, which could hardly be said to be compensated by having a ship fresh from port, with her copper quite clean, though she greatly outsailed the other ships of the lee-division. In fact, the Royal Sovereign was the first that broke through the enemy's line, and commenced the battle. We extract the following from the Memoir:—

"Lord Nelson had made the Royal Sovereign's signal to pass through the enemy's line at the twelfth ship from the rear; but Admiral Collingwood observing her to be a two-decked ship, and that the second astern of her was a first-rate, deviated so far from the order as to proceed to the attack of this last, which carried Admiral Alava's flag. While they were running down, the well-known telegraphic signal was made, of "England expects every man to do his duty." When the Admiral observed it first, he said that he wished Nelson would make no more signals, for they all understood what they were to do: but when the purport of it was communicated to him, he expressed great delight and admiration, and made it known to the officers and ship's company. Lord Nelson had been requested by Captain Blackwood (who was anxious for the preservation of so invaluable a life) to allow some other vessels to take the lead, and at last gave permission that the *Temeraire* should go ahead of him; but resolving to defeat

defeat the order which he had given, he crowded more sail on the *Victory*, and maintained his place. The *Royal Sovereign* was far in advance when Lieutenant Clavell observed that the *Victory* was setting her studding sails, and with that spirit of honourable emulation which prevailed between the squadrons, and particularly between these two ships, he pointed it out to Admiral Collingwood, and requested his permission to do the same. "The ships of our line," replied the Admiral, "are not yet sufficiently up for us to do so now; but you may be getting ready." The studding sail and royal halliards were accordingly manned, and in about ten minutes the Admiral, observing Lieutenant Clavell's eyes fixed upon him with a look of expectation, gave him a nod; on which that officer went to Captain Rotheram, and told him that the Admiral desired him to make all sail. The order was then given to rig out and hoist away, and in one instant the ship was under a crowd of sail, and went rapidly ahead. The Admiral then directed the officers to see that all the men lay down on the decks, and were kept quiet. At this time the *Fougueux*, the ship astern of the *Santa Anna*, had closed up, with the intention of preventing the *Royal Sovereign* from going through the line; and when Admiral Collingwood observed it, he desired Captain Rotheram to steer immediately for the Frenchman, and carry away his bowsprit. To avoid this, the *Fougueux* backed her main top-sail, and suffered the *Royal Sovereign* to pass, at the same time beginning her fire; when the Admiral ordered a gun to be occasionally fired at her, to cover his ship with smoke.

'The nearest of the English ships was now distant about a mile from the *Royal Sovereign*; and it was at this time, while she was pressing alone into the midst of the combined fleets, that Lord Nelson said to Captain Blackwood, "See how that noble fellow, Collingwood, takes his ship into action. How I envy him!" On the other hand, Admiral Collingwood, well knowing his commander and friend, observed, "What would Nelson give to be here!" and it was then, too, that Admiral Villeneuve, struck with the daring manner in which the leading ships of the English squadrons came down, despaired of the issue of the contest. In passing the *Santa Anna*, the *Royal Sovereign* gave her a broadside and a half into her stern, tearing it down, and killing and wounding four hundred of her men; then, with her helm hard a-starboard, she ranged up alongside so closely, that the lower yards of the two vessels were locked together. The Spanish Admiral, having seen that it was the intention of the *Royal Sovereign* to engage to leeward, had collected all his strength on the starboard; and such was the weight of the *Santa Anna*'s metal, that her first broadside made the *Sovereign* heel two streaks out of the water. Her studding-sails and halliards were now shot away; and as a top-gallant studding-sail was hanging over the gangway hammocks, Admiral Collingwood called out to Lieutenant Clavell to come and help him to take it in, observing that they should want it again some other day.

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These two officers accordingly rolled it carefully up, and placed it in the boat.*—pp. 109-111.

To his father-in-law, Admiral Collingwood writes thus :—

'This was a victory to be proud of; but in the loss of my excellent friend, Lord Nelson, and a number of brave men, we paid dear for it. When my dear friend received his wound, he immediately sent an officer to me to tell me of it, and give his love to me. Though the officer was directed to say the wound was not dangerous, I read in his countenance what I had to fear; and before the action was over, Captain Hardy came to inform me of his death. I cannot tell you how deeply I was affected; my friendship for him was unlike any thing I have left in the navy,—a brotherhood of more than thirty years. In this affair he did nothing without my counsel, we made our line of battle together, and concerted the mode of attack, which was put in execution in the most admirable style. I shall grow very tired of the sea soon; my health has suffered so much from the anxious state I have been in, and the fatigue I have undergone, that I shall be unfit for service. The severe gales which immediately followed the day of victory ruined our prospect of prizes. Our own infirm ships could scarce keep off the shore; the prizes were left to their fate, and as they were driven very near the port, I ordered them to be destroyed, by burning and sinking, that there might be no risk of their falling again into the hands of the enemy. There has been a great destruction of them; indeed, I hardly know what, but not less than fifteen or sixteen, the total ruin of the combined fleet.'—p. 118.

The following anecdote, which he mentions to Lady Collingwood, is highly characteristic of a brave officer, and of his Admiral's kindness :—

'I have written to Lloyds' about Mr. Chalmer's family. He left a mother and several sisters, whose chief dependence was on what this worthy man and valuable officer saved for them from his pay. He stood close to me when he received his death. A great shot almost divided his body; he laid his head upon my shoulder, and told me he was slain. I supported him till two men carried him off. He could say nothing to me, but to bless me; but as they carried him down he wished he could but live to read the account of the action in a newspaper. He lay in the cockpit, among the wounded, until the Santa Anna struck; and joining in the cheer which they gave her, expired with it on his lips.'—p. 178.

Nothing can be more delightful than to see, from the correspondence, and the intercourse which subsequently took place

* Of his economy, at all times, of the ship's stores, a former instance was often mentioned in the Navy, as having occurred at the Battle of St. Vincent. The Excellent, shortly before the action, had bent a new fore-top-sail: and when she was closely engaged with the St. Isidro, Captain Collingwood called out to his boatswain, a very gallant man, who was shortly afterwards killed, "Bless me! Mr. Peffers, how came we to forget to bend our old top-sail? They will quite ruin that new one. It will never be worth a farthing again."—THE EDITOR.

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between Collingwood, and the Marquis de la Solana, Alava, and other noble Spaniards, the courteous manner in which hostilities were conducted, from the moment of this glorious victory, and the mutual interchange of civilities that were constantly taking place before Cadiz. Lord Collingwood thus writes to his correspondent:—

‘To alleviate the miseries of the wounded as much as in my power, I sent a flag to the Marquis Solana, to offer him his wounded. Nothing can exceed the gratitude expressed by him for this act of humanity; all this part of Spain is in an uproar of praise and thankfulness to the English. Solana sent me a present of a cask of wine, and we have a free intercourse with the shore. Judge of the footing we are on, when I tell you he offered me his hospitals, and pledged the Spanish honour for the care and cure of our wounded men. Our officers and men who were wrecked in some of the prize ships were most kindly treated: all the country was on the beach to receive them; the priests and women distributing wine, and bread, and fruit amongst them. The soldiers turned out of their barracks to make lodging for them; whilst their allies, the French, were left to shift for themselves, with a guard over them to prevent their doing mischief.’—
p. 119.

The Marquis was not satisfied with expressions of his gratitude, but aided most cordially in all the views of the Admiral. He sent him presents of wine and fruit, and the latter returned the civility by presenting him with an English cheese and a cask of porter. ‘As I feel,’ says the Marquis de la Solana, ‘the highest satisfaction and delight in doing anything that can be agreeable to your excellency, I send, by a fishing-boat, sixty melons, and some baskets of grapes, of figs, and of pomegranates.’ The gratitude of Solana, in consequence of the offers of Admiral Collingwood respecting the Spanish prisoners, and his kindness and generosity to our shipwrecked seamen, were worthy the honour of the Spanish name,—that name once so glorious, now, alas! a byword among nations, and brought into contempt partly (we know not how the blame should exactly be divided) by the murderous extravagances of infidels and jacobins, and partly—we fear, mostly—by the obstinate and bigotted folly of a weak, worthless, infatuated monarch, governed by a wicked and fanatical priesthood. ‘If,’ says Solana, ‘your excellency should need any assistance for your own wounded men, I shall deem it a pleasure and a duty to furnish it, and even to effect their cure upon land, if your excellency will intrust them to me.’ From this time, throughout the whole of Lord Collingwood’s command in the Mediterranean, he was almost idolized on every part of the Spanish coast; and, though he despaired of the Spanish cause, from the first rising against the French, he never ceased

to

to give it his best support, by wholesome counsel, and by all the means within his power. Even when we were opposed to Spain, his desire to mitigate, as much as possible, the miseries of war, was so well known to the Spaniards, that constant applications were made to him for passports for the release of wounded prisoners, and various other acts of humanity and courtesy. The following letter from a Spanish lady, respecting a little boy captured on board a Spanish ship from America, and released by his lordship, is so beautiful an expression of feeling and gratitude, that we make no apology for inserting it here. It is dated from Madrid.

‘With sentiments of the warmest gratitude, I address your Lordship, to return you thanks both for your polite letter of the 7th of February, and for the release of my favourite Anselmo, who, as I am informed, has already arrived at Algeziras. The motives which I have for being attached to that boy are of a nature not to be easily forgotten. He was born of one of our slaves on the very day that I myself gave birth to my last child. On that day my husband freed Anselmo’s father and mother, together with their babe. It was a day of joy celebrated by us every year, till cruel Fate snatched away my little girl, who was the being to whom I bore the greatest affection in this world, and whose loss I shall never cease to deplore. Anselmo was brought up as the plaything of my darling: she loved him excessively: and I have the weakness to see in that boy a kind of shadow of my lost angel. By this you may conceive, my Lord, the present which you have made me, and how greatly I value the humane sentiments contained in your kind letter. I shall conclude by requesting that you will remember that my husband is Lord Chief Justice of the kingdom of Guatemala, and that in him you will always find a person ready to receive and obey your Lordship’s orders.’—p. 246.

When the battle of Trafalgar was fought, Lord Barham was first Lord of the Admiralty: he was then far advanced in years, and, if we may judge from the style of his reply to Admiral Collingwood’s letter, he received the account of this most important naval victory with all the coolness and undisturbed tranquillity of an octogenarian. The Admiral had requested promotion for a few young men to whom he had given acting orders to fill vacancies, and, among others, to the midshipmen of the *Victory*, most of whom he had taken with him into the *Queen*, and for whom he stated ‘he felt a peculiar interest, because they *were* the *Victory*’s.’ The reply of Lord Barham under such circumstances was certainly not of the most gracious kind: ‘In order to prevent disappointment to individuals, I must beg that you will strictly conform to the rules laid down by the admiralty, by which they leave deaths and court-martial vacancies to the commanding officer, and reserve all others to themselves;’ and he concludes by
telling

telling him, that he shall 'trouble him, through his secretary, with a list of such persons as he wishes to fill the admiralty vacancies!' All this might be, and no doubt was, strictly correct, according to 'admiralty regulations;' but who, with one spark of genuine feeling, could have wished, on such an occasion, to put in force the strict rule of office, and thereby deprive one single individual of that hard-earned promotion which his immediate commander-in-chief deemed him entitled to receive?—the followers, too, of the immortal Nelson!

Lord Collingwood complains, and not without reason, that the admiralty will not say a word to him about the prizes, the promotion of officers, or any other subject; that the only officer he recommended (as a boon to himself) to be promoted, has been passed over unnoticed, and he writes to Lord Barham,

'It will scarcely be credited, that I am the only commander in that fleet who has not had, by the courtesy of the admiralty, an opportunity to advance one officer of any description. My first lieutenant (he adds) stands where I placed him, covered with his wounds, while some of those serving in private ships are post-captains. Lieutenant Landless (he continues), the only person I recommended to your lordship, is an old and valuable officer; he has followed me from ship to ship all the war.—My other lieutenant, who removed with me into the Sovereign, was, happily for him, killed in the action, and thereby saved from the mortification to which otherwise he would probably have been subjected.'

This conduct and the sentiments of Lord Barham are very different from those of his Royal Highness the Duke of Clarence, who says, on a less important occasion, 'I am clearly of opinion, the lieutenants deserve and ought to be promoted: I am for liberal rewards: I have ever been, and ever shall be of opinion that zeal and bravery ought to be the great and sole causes of promotion.' What the Duke of Clarence thus wrote in the year 1809, the lord high-admiral is faithfully practising in 1828.

Admiral Collingwood was raised to the peerage by the title of Baron Collingwood, of Caldbourne and Hethpoole, in the county of Northumberland; received the thanks of both houses of parliament; and was granted a pension of 2000*l.* for his own life, and in the event of his death 1000*l.* a-year to Lady Collingwood, and 500*l.* a-year to each of his two daughters. But that which seems to have been most grateful to his feelings, was a letter written by order of the king, to the secretary of the Admiralty, expressing his Majesty's admiration and entire approbation of every part of his conduct: the letter concludes thus:—

'The feeling manner in which he has described the events of that
great

great day and those subsequent, and the modesty with which he speaks of himself, whilst he does justice, in terms so elegant and so ample to the meritorious exertions of the gallant officers and men under his command, have also proved extremely satisfactory to the King.'

From the Duke of Clarence, as a brother admiral, he received a congratulatory letter, accompanied by a handsome sword; and letters and addresses poured in from all quarters, and vases and epergnes without number, which he appears to have received with a due sense of gratitude, but without kindling within him one spark of vanity.

'I do not know,' says he to Lady Collingwood, 'how you bear your honours, but I have so much business on my hands, from dawn till midnight, that I have hardly time to think of mine, except it be in gratitude to my king, who has so graciously conferred them upon me.' and he asks, 'How shall we be able to support the dignity to which his majesty has been pleased to raise me? Let others plead for pensions: I can be rich without money, by endeavouring to be superior to every thing poor. I would have my services to my country unstained by any interested motive, and old Scott, (the gardener) and I, can go on in our cabbage-garden without much greater expense than formerly.'

When the pension was proposed in parliament, some allusion was made to his straitened circumstances, which seems to have occasioned him considerable uneasiness:—

'I am not pleased,' he says, 'at what occurred in parliament about my pension, or that my family should have been represented as one whose existence depended on a gift of money; and I have told Lord Castlereagh my mind upon this subject. Though I do not consider poverty to be criminal, yet nobody likes to be held up as an object of compassion. Poor as we are, we are independent. To possess riches is not the object of my ambition, but to deserve them; but I was in hope I should have got another medal—of *that*, indeed, I was ambitious.'

In another place he says,

'I am not a Jew, whose god is gold; nor a Swiss, whose services are to be counted against so much money. I have motives for my conduct, which I would not give in exchange for a hundred pensions.'

After the battle of Trafalgar, Lord Collingwood received a commission as commander-in-chief of the Mediterranean station, to the same extent as that which Lord Nelson had held. This formed an entirely new era in his life, and no man could have filled the important situation, or managed the various political transactions in which he was necessarily engaged, with more dignity, judgment, and good effect, than he did. In all these varied transactions, he showed himself a profound, and provident,
and

and truly English-hearted statesman.* Indeed, so satisfied were the ministry with all his proceedings, that he was kept on this station, contrary to his ardent desire to return to the bosom of his family, till he was fairly worn out with anxiety, fatigue, and disease, to which, at last, he fell a victim. Naples and Sicily gave him more concern and anxiety than all the rest. The stupidity of the old king, and the profligacy and intrigues of the queen, rendered it utterly hopeless to serve them or their unfortunate country. This miserable woman, who, but a few days before, had read in a bulletin of Buonaparte that 'the march of General St. Cyr upon Naples was for the purpose of punishing the perfidy of the queen, and compelling that criminal woman to descend from the throne,' was actually engaged, while under the protection of the English army in Sicily, in a series of plots with France against her allies and protectors. Of this wretched pair of crowned heads, Lord Collingwood gives a true and not an unamusing picture:—

'I went from Malta to Palermo, where I had long promised myself the pleasure of paying my compliments to the king and queen, and I gratified a curiosity which had been excited by many strange stories which I had heard. I arrived the day before Ash-Wednesday, the last of the carnival, when the queen gave a grand ball and supper to the nobility. I received an invitation as soon as we anchored, and was glad of an opportunity to see all the court and those far-famed princesses at once. The king and the queen received me most graciously. The king has much the appearance and manner of a worthy honest country gentleman. Nature certainly intended him for that state; but blundering chance has cast his lot awry. The queen would appear to be penetrating into the soul and mind of every body that comes near her. She would be thought a deep politician; yet all her schemes

* We cannot but express our special admiration of a letter addressed to an agent of the Seville Junta, when that body were disposed to follow out a scheme of Godoy, in countenancing and supporting some rebels in the dominions of the Emperor of Morocco (July, 1808):—

'With such information as the papers afford, it is not possible to give any correct judgment of the particular case; but of the general principle I can state my ideas in a few words.

'War is not a subject to be considered with levity;—it is not a subject in which the personal resentment of an individual should be allowed to have any weight;—and the person who makes an honourable peace for his country is more its friend than he who adds to its splendour by many victories in a cause which was not of strict necessity.

'Wrongs to a nation, whether of insult or injustice, are not justifiable causes of war until reparation have been demanded of the offending government, and refused. Then, indeed, war is of necessity, to defend the honour or interest of a nation, and a great nation will not shrink from it, for it is glorious to be jealous of its honour—it is its duty to defend the interests of its subjects; but it is unworthy of it to bear a fair appearance to a government, and at the same time instigate the people to rebellion, or support them in it. Such a conduct, I conceive, must at all times be derogatory to the dignity of an honourable nation; although it may be reconcilable to the crooked policy of a Frenchman of the present day.'

miscarry. She broods over what is impracticable with her little means, and frets herself continually that others are not as dim-sighted as herself. Her lot also has been cast awry, or, in the distribution of stations for this world, so loose a morality and such depravity of manners would never have been found perched upon a throne, from whence should issue the bright example of all that is good and great. The king lives generally in the country, about four miles from the city, where he amuses himself in planting trees and shooting. We dined with him on Sunday at his country-house, and he carried us all over it. It is the prettiest thing that can be; the rooms not larger than ours at Morpeth, and the house not much bigger. We went over his grounds; and his majesty seemed particularly desirous that I should see all his improvements, when I told him that I was a great planter myself. I have also seen a great deal of the princesses and duchesses of Sicily; and all I shall say of them at present is, that the more I see of them the more I bless my stars that I was born in England, and have got a darling wife who is not a princess. They were very polite and attentive to me. I believe the queen was relieved when I took leave of her. They had been told of the opposition which I gave to their son going to Spain, and of many other things also which were not true; and I believe suspected that I had been the cause of Saint Clair being ordered to leave Gibraltar so suddenly, which I was not. I do not know what possessed them on my arrival, but the consternation seemed to be general; and Sir John Stuart having come there to meet me, made an appearance of business of consequence. There was a great alarm and suspicion that we were come to insist on all the French leaving the island; and as most of her favourites are of that nation, I do not wonder at the concern that was very visible. They never desire, I am sure, to see my face again.'—pp. 436-7.

In another part of his correspondence, he says,

'Sicily itself is as weak as can be. It is a kingdom which has nothing in it which constitutes the strength of a country, but divided councils,—a king who ought to rule, and a queen who will,—no army for its defence,—its military works ruinous,—without revenue, except just enough to support their gaieties,—a nobility without attachment to a court where foreigners find a preference,—and a people who, having nothing beyond their daily earnings, are indifferent as to who rules them, and look to a change for an amelioration of their condition. Every cause of weakness in a country is to be found here; factions alone are abundant.'—p. 306.

Like every naval officer who has served in the Mediterranean, Lord Collingwood had a high opinion of Turkish honour and fidelity. 'The Ottoman porte,' he says, 'was friendly till England commenced hostilities; so also were the piratical states of Barbary, in spite of the incessant intrigues of France;' and he asserts, that 'they adhered to the strict letter of their treaties, with a fidelity which he did not discover in the governments of more civilized countries.'

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When off the Dardanelles, in 1807, he thus writes:—

‘My business here is of the most important nature, and I am exerting all my powers to derive good from it. My mind is upon the full stretch; for my body, I do not know much about it, more than that it is very feeble. We precipitated ourselves into this war without due consideration. We had no quarrel with the Turks, and a temperate conduct would have carried all our points. This is now seen, when it is too late; and I am afraid the measures we are taking to restore peace are not calculated to accomplish it. The Turks are kind, and take every opportunity of expressing their respect and friendship for the English nation; but while we make common cause with the Russians, their inveterate enemies, I am afraid they will not listen either to them or us.’—p. 261.

How applicable is all this to the present moment! This is not the place to discuss the merits of the ‘unexpected’ and ‘untoward’ event of Navarin, in which, we will not permit ourselves to doubt Sir Edward Codrington acted, or thought he was acting, conformably with his instructions; but we may be allowed to observe, that Lord Collingwood, with the feelings above expressed, would have put in practice every effort at conciliation, before proceeding to extremities. Whether the treaty of the allied sovereigns was principally entered into in consequence of the severe evils inflicted on the commerce of the European nations in the Mediterranean; or was the result of pure regard for the cause of humanity; or prompted in some measure by a wish to tranquillize the discontented spirits of Europe; or to satisfy those benevolent persons who really felt for the state of oppression under which the Greeks had long laboured,—the collision of the fleets unfortunately defeated its intention, and for a time destroyed all hope of a friendly adjustment: but if, as some suppose, the treaty originated mainly in the desire to appease the clamours, and prevent the march, of the Russian army, we should be apprehensive that the battle of Navarin is more likely to hasten than retard that march. In every point of view, therefore, to say nothing of the waste of life, the affair of Navarin was, however glorious as a display of gallantry, a most ‘untoward’ event; or, as the admiral calls it, a ‘disastrous extremity.’

The treaty itself has been called a direct interference between a sovereign and his subjects, such as we complained of, and not without reason, when the French interposed between us and our rebellious subjects in America; this is certainly not its true character; its objects being, as we cannot doubt, first to restore safety to our own shipping in the Levant, and secondly to prevent the repetition of scenes at which humanity shudders, and to mediate between the conflicting parties; for which purpose the nego-

citations might, perhaps, if not checked, have led to a happy and peaceable adjustment between the Turks and their rebellious subjects. Agreeing entirely in the opinion of Lord Collingwood, that the integrity of the empire of our old and faithful ally forms the strongest barrier to the future aggrandizement of Russia, and is, therefore, essential to the preservation of something like a balance of power in Europe, we trust that means may be found, notwithstanding an assault that was never contemplated by the government at home, to conciliate the Grand Signior, leaving him no room to suppose that, by any want of good faith or of political consistency, England could, by any possibility, suffer him to be placed at the mercy of Russia; or that she has any intention to make common cause against him with his 'inveterate enemies.'

After all, we fear we may exclaim with Lord Collingwood; 'Oh, my dear Ball, how this Turkish war has embarrassed all our affairs, without a possibility of its having one good consequence from the beginning!' We trust, however, and believe, we shall have no war; but one thing is pretty clear, namely, we have converted an old and trusty friend into something very like an enemy, whom, if desirous to annoy, we have but slender means of annoying. We hear people talk of the importance of blockading the Dardanelles:—

'The blockade of the Dardanelles,' says Lord Collingwood, 'appears to me to have been represented to our ministers of much more importance than it really is. Since the month of April (he writes in September), no vessel of any kind is known to have gone into that channel; and yet there does not appear to be the least want of any kind at the capital.'

And as to the ease with which Constantinople may be attacked, if we have already forgotten the disastrous, not to say disgraceful, attempt made by Sir John Duckworth, we may learn from these pages, that

'Constantinople appears to be more difficult to attack than has generally been thought: the strong current from the Black Sea prevents access to it, with a light wind; and then, between it and Scutari, both sides of which are well fortified, it is like going into Portsmouth harbour.'

It would lead us far beyond our limits to give even the most succinct account of Lord Collingwood's voluminous correspondence with the various authorities, Christian and Mahomedan, on the shores of the Mediterranean; with the Austrian, Spanish, Neapolitan, Sardinian, Turkish ambassadors, generals, consuls, &c.; the secretary of state, the first lord of the admiralty, and the officers of his fleet;—a correspondence which occupies by far the greater

greater part of the volume—and which is but a small portion, it seems, of what his lordship's papers contain. When to the labour of this is added the constant anxiety to prevent the escape of the French and Spanish fleets, assembled in the various ports from Cadiz to Leghorn, we need not be much surprised to find his constitution giving way, and gradually wearing out.

If, in England, great anxiety was for a long time felt at the escape and unknown destination of Gantheaume's fleet, how much more must Lord Collingwood have experienced it, in not being able to obtain the least intelligence of that officer's movements. The island of Sicily was considered by all to be the real object of that expedition; and while Lord Collingwood was watching that island, the French admiral, by creeping along the coast of Africa, succeeded in escaping into Toulon. This disappointment of his hopes, we are told, preyed on his health, and is supposed to have contributed, with the toil to which he continued to be exposed, to shorten his days. Lady Collingwood seems to have been the first to mark, from a portrait sent to her, the great change that a few years had occasioned in his appearance.

In 1808, he writes to her thus:—

'I am sorry to find my picture was not an agreeable surprise: I did not say anything to you about it, because I would always guard you as much as I could against disappointment; but you see, with all my care, I sometimes fail. The painter was reckoned the most eminent in Sicily; but you expected to find me a smooth-skinned, clear-complexioned gentleman, such as I was when I left home, dressed in the newest taste, and like the fine people who live gay lives ashore. Alas! it is far otherwise with me. The painter was thought to have flattered me much: that lump under my chin was but the loose skin, from which the flesh has shrunk away; the redness of my face was not, I assure you, the effect of wine, but of burning suns and boisterous winds; and my eyes, which were once dark and bright, are now faded and dim. The painter represented me as I am; not as I once was. It is time and toil that have worked the change, and not his want of skill. That the countenance is stern, will not be wondered at, when it is considered how many sad and anxious hours and how many heartaches I have. I shall be very glad when the war is over.'

—pp. 360, 361.

A month afterwards he says,

'I have received your letter on my portrait; but I think, when you see the original poor creature, you will be reconciled to the picture. I have laboured past my strength. I have told Lord Mulgrave so, and I hope they will think of relieving me, that I may come and enjoy the comforts of my own blessed family again, and get out of the bustle of the world and of affairs which are too weighty for me. God bless me! how rejoiced will my poor heart be when I see you all again.'—p. 380.

Soon

Soon after this, he strongly represented to the Admiralty, how much his health was impaired, and his strength decayed, and attributed it to the long time he had been at sea without intermission, requesting, therefore, to be released from a situation, the duties of which he could no longer fulfil to his own satisfaction. In reply to which, Lord Mulgrave, then first lord of the Admiralty, says,

‘It is a justice, which I owe to you and to the country, to tell you candidly, that I know not how I should be able to supply all that would be lost to the service of the country, and to the general interests of Europe, by your absence from the Mediterranean.’

This would have been enough for one who had less zeal for his country’s service than Collingwood; and it drew from him a letter to Lady Collingwood, of which the following is an extract:—

‘It is a great satisfaction to me to find that everything I have done has been approved by government; and the letters I receive from the Secretary of State always communicate to me his majesty’s entire approbation. I have heard from the governor of Cadiz and others, that some of my papers, addressed to the Junta of Seville, on the conduct which the Spaniards ought to pursue on certain occasions, have been very much commended. Perhaps you may think I am grown very conceited in my old age, and fancy myself a mighty politician; but indeed it is not so. However lofty a tone the subject may require and my language assume, I assure you it is in great humility of heart that I utter it, and often in fear and trembling, lest I should exceed my bounds. This must always be the case with one who, like me, has been occupied in studies so remote from such business. I do everything for myself, and never distract my mind with other people’s opinions. To the credit of any good which happens I may lay claim, and I will never shift upon another the discredit when the result is bad. And now, my dear wife, I think of you as being where alone true comfort is to be found, enjoying in your own warm house a happiness which in the great world is not known. Heaven bless you! may your joys be many, and your cares few. My heart often yearns for home; but when that blessed day will come in which I shall see it, God knows. I am afraid it is not so near as I expected. I told you that I had written to the Admiralty that my health was not good, and requested their lordships would be pleased to relieve me. This was not a feigned case. It is true I had not a fever or a dyspepsy. Do you know what a dyspepsy is? I’ll tell you. It is the disease of officers who have grown tired, and then they get invalidated for dyspepsy. I had not this complaint, but my mind was worn by continual fatigue. I felt a consciousness that my faculties were weakened by application, and saw no prospect of respite; and that the public service might not suffer from my holding a station, and performing its duties feebly, I applied for leave to return to you, to be cherished and restored.

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What their answer will be, I do not know yet; but I had before mentioned my declining health to Lord Mulgrave, and he tells me in reply, that he hopes I will stay, for he knows not how to supply my place. The impression which his letter made upon me was one of grief and sorrow; first, that with such a list as we have, there should be thought to be any difficulty in finding a successor of superior ability to me; and next, that there should be any obstacle in the way of the only comfort and happiness that I have to look forward to in this world. The variety of subjects, all of great importance, with which I am engaged, would puzzle a longer head than mine. The conduct of the fleet alone would be easy; but the political correspondence which I have to carry on with the Spaniards, the Turks, the Albanians, the Egyptians, and all the States of Barbary, gives me such constant occupation, that I really often feel my spirits quite exhausted, and of course my health is much impaired; but if I must go on, I will do the best I can. The French have a force here quite equal to us; and a winter's cruise, which is only to be succeeded by a summer one, is not very delightful, for we have dreadful weather; and in my heart I long for that respite which my home would give me, and that comfort of which I have had so little experience.'—p. 410-412.

The next despatch, of 3d July, 1809, acquainted him that his majesty had been graciously pleased to appoint him Major-General of Marines, *vice* Admiral Lord Gardner, deceased, which seems to have afforded him the greatest pleasure, and to have somewhat rallied his spirits; but it was evident to all that he was sinking very fast. 'My eyes,' he says, 'are very feeble; my legs and feet swell so much every day, that it is pretty clear they will not last long.' In June, 1809, when off Toulon, he says, 'tough as I have been, I cannot last much longer. I have seen all the ships and men out two or three times. Many about me are yielding to fatigue and confinement, of a life which is certainly not natural to man, and which I have only borne thus far from a patient submission to my duty, and a natural desire to execute the duties of my profession as long as I am able, without regard to any personal satisfaction.'

On the 25th January, 1810, when at anchor in Port Mahon, in a state of great suffering and debility, he was advised by his medical attendants to try the effect of gentle exercise on horseback; and his friend Captain (now Admiral) Hallowell accompanied him on shore; but it was too late; he could not bear the slightest fatigue. It was then represented to him that his return to England was indispensable; and, on the 3d of March, he resigned his command to Rear-Admiral Martin. It was not till the 6th, that the *Ville de Paris* could clear the harbour, when she made sail for England. When Lord Collingwood was informed that he was again at sea, he seemed to rally for a time
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his exhausted strength, and said to those around him 'Then I may yet live to meet the French once more:' thus 'strong in death' appeared 'the ruling passion.' On the following morning, when his friend Captain Thomas, on entering his cabin, observed, that he feared the motion of the vessel disturbed him, 'No, Thomas,' he replied, 'I am now in a state in which nothing in this world can disturb me more. I am dying; and I am sure it must be consolatory to you, and all who love me, to see how comfortably I am going to my end.'

'He told one of his attendants that he had endeavoured to review, as far as was possible, all the actions of his past life, and that he had the happiness to say that nothing gave him a moment's uneasiness. He spoke, at times, of his absent family, and of the doubtful contest in which he was about to leave his country involved, but ever with calmness and perfect resignation to the will of God; and in this blessed state of mind, after taking an affectionate farewell of his attendants, he expired without a struggle, at six o'clock in the evening of that day, having attained the age of fifty-nine years and six months.'—p. 495.

The following is from the report of the surgeon of the Ville de Paris:—

'In no part of his lordship's brilliant life did his character appear with greater lustre than when he was approaching his end. It was dignified in the extreme. If it be on the bed of sickness and at the approach of death,—when ambition, the love of glory, and the interests of the world, are over,—that the true character is to be discovered, surely never did any man's appear to greater advantage than did that of my Lord Collingwood. For my own part, I did not believe it possible that any one, on such an occasion, could have behaved so nobly. Cruelly harassed by a most afflicting disease, obtaining no relief from the means employed, and perceiving his death to be inevitable, he suffered no sigh of regret to escape, no murmuring at his past life, no apprehension of the future. He met death as became him, with a composure and fortitude which have seldom been equalled, and never surpassed.'—p. 496.

His death, as was afterwards found, was occasioned by a contraction of the pylorus, brought on by confinement on board ship, and by his continually bending over a desk, while engaged in his correspondence. His body was conveyed to England, and deposited in St. Paul's Cathedral by the side of his friend Lord Nelson*—the place of all others where he would have wished to

* The tombs of both the heroes are elevated considerably above the pavement of the crypt. That of Nelson stands immediately under the centre of the dome; and perhaps it is not generally known that Nelson's remains occupy a very beautiful marble sarcophagus, which was executed in Rome, by Wolsey's order, but did not arrive in time to be used for the burial of the cardinal, and had lain neglected during all the intervening period. We almost regret that it was thought necessary to place such a tomb in the crypt and not in the open cathedral itself.

lie. In one of his letters to his wife, when her ladyship was about to visit London, we find him writing thus—‘ I am sure you will visit the tomb of my dear friend. . Alas ! that ever he had a tomb !’ The ties of affection by which these two heroes were through life united, is a striking instance how men of apparently opposite dispositions can form indissoluble friendships, when actuated by the same lofty principles of conduct—a love of fame and of their country’s honour. Nelson was distinguished by a buoyancy of spirits, and a romantic turn of mind not to be surpassed in the brightest days of chivalry, while equanimity, calm serenity, and active benevolence, were the characteristics of Collingwood. Their ends, too, were somewhat different :—

‘ The one,’ as the editor remarks, ‘ falling gloriously in the moment of victory ; the other, exhausted with fatigue and care in the pursuit of an enemy, whom, with unexampled perseverance, he had long sought in vain. Of both these eminent men it may with equal truth be said, that their devotion to their country was unbounded, and that, in its service, they sacrificed their lives.’

A monument was erected by vote of parliament to his memory in St. Paul’s Cathedral, and a cenotaph in his native town of Newcastle, the long historical inscription of which is not much to our taste. It would have been enough to consecrate it

‘ To the Memory of Collingwood,
The friend and companion of Nelson.
Born ——. Died ——.’

subscribed, perhaps, with the lines of Pindar, which conclude this volume ; for it may with truth be said that this brave commander did

‘ ——— to his dear descendants leave
The first best gift that man can claim ;
Better than pomp, by crowds adored,
Or gold immeasurably stored,—
A PURE AND SPOTLESS NAME.’

It is observed by his biographer, that the length and hardships of Lord Collingwood’s service are without any parallel ; that, of fifty years nearly, during which he continued in the navy, about forty-four were passed in active employment, chiefly abroad ; and that, in the eventful period, from 1793 till his death in 1810, he was only one year in England, the remainder of the time being principally employed in tedious blockades, rarely visiting a port ; that, on one occasion, he actually kept the sea for the almost incredible space of twenty-two months, without once dropping his anchor. He was certainly what the editor has designated him, ‘ a perfect example of an English sailor.’ And we may safely say, that in him ‘ we have a memorable example, how,
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in every noble heart, humanity and gentleness are the inseparable companions of true valour.' Nor can we less admire in him the freshness and purity of his domestic affections, and the tenderness with which his mind was perpetually turning towards that home which he was not destined to revisit. We shall lay before our readers a few letters or extracts, from which it will be seen how anxiously this most affectionate of husbands and fathers, separated from his family by his public duty, still endeavoured to conduct the education of his beloved daughters, and (while engaged, as he himself expresses it, in a perpetual contest with the elements, and with dispositions as boisterous and untractable) to cultivate in their youthful minds benevolence, gentleness, and every female virtue. 'I am anxious,' he says, 'about my children. I beseech you, dearest Sarah, I beseech you keep them constantly employed; make them read to you, not trifles, but history, in the manner we used to do in the winter evenings; blessed evenings indeed!' In 1806, he writes thus to Lady Collingwood:—

'How do the dear girls go on? I would have them taught geometry, which is of all sciences in the world the most entertaining: it expands the mind more to the knowledge of all things in nature, and better teaches to distinguish between truths and such things as have the appearance of being truths, yet are not, than any other. Their education, and the proper cultivation of the sense which God has given them, are the objects on which my happiness most depends. To inspire them with a love of everything that is honourable and virtuous, though in rags, and with contempt for vanity in embroidery, is the way to make them the darlings of my heart. They should not only read, but it requires a careful selection of books; nor should they ever have access to two at the same time: but when a subject is begun, it should be finished before anything else is undertaken. How would it enlarge their minds, if they could acquire a sufficient knowledge of mathematics and astronomy to give them an idea of the beauty and wonders of the creation! I am persuaded that the generality of people, and particularly fine ladies, only adore God because they are told it is proper and the fashion to go to church; but I would have my girls gain such knowledge of the works of the creation, that they may have a fixed idea of the nature of that Being who could be the author of such a world. Whenever they have that, nothing on this side the moon will give them much uneasiness of mind. I do not mean that they should be Stoics, or want the common feelings for the sufferings that flesh is heir to; but they would then have a source of consolation for the worst that could happen.'—pp. 205-6.

In another letter to Lady Collingwood, in 1807, he urges her strongly not to suffer them to read novels, but history, travels, essays, Shakspeare's plays, as often as they please. 'What they call books for young people,' he laconically observes, 'are nonsense.'

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The two following letters contain such admirable advice, and so elegantly expressed, that we cannot resist giving them at full length. The first is addressed to the Hon. Miss Collingwood, dated July, 1809:—

‘ I received your letter, my dearest child, and it made me very happy to find that you and dear Mary were well, and taking pains with your education. The greatest pleasure I have amidst my toils and troubles, is in the expectation which I entertain of finding you improved in knowledge, and that the understanding which it has pleased God to give you both has been cultivated with care and assiduity. Your future happiness and respectability in the world depend on the diligence with which you apply to the attainment of knowledge at this period of your life, and I hope that no negligence of your own will be a bar to your progress. When I write to you, my beloved child, so much interested am I that you should be amiable and worthy of the friendship and esteem of good and wise people, that I cannot forbear to second and enforce the instruction which you receive, by admonition of my own, pointing out to you the great advantages that will result from a temperate conduct and sweetness of manner to all people, on all occasions. It does not follow that you are to coincide and agree in opinion with every ill-judging person ; but after shewing them your reason for dissenting from their opinion, your argument and opposition to it should not be tinged by anything offensive. Never forget for one moment that you are a gentlewoman ; and all your words and all your actions should mark you gentle. I never knew your mother,—your dear, your good mother,—say a harsh or a hasty thing to any person in my life. Endeavour to imitate her. I am quick and hasty in my temper ; my sensibility is touched sometimes with a trifle, and my expression of it sudden as gunpowder ; but, my darling, it is a misfortune, which, not having been sufficiently restrained in my youth, has caused me much pain. It has, indeed, given me more trouble to subdue this natural impetuosity, than any thing I ever undertook. I believe that you are both mild ; but if ever you feel in your little breasts that you inherit a particle of your father’s infirmity, restrain it, and quit the subject that has caused it, until your serenity be recovered. So much for mind and manners ; next for accomplishments. No sportsman ever hits a partridge without aiming at it ; and skill is acquired by repeated attempts. It is the same thing in every art : unless you aim at perfection, you will never attain it ; but frequent attempts will make it easy. Never, therefore, do any thing with indifference. Whether it be to mend a rent in your garment, or finish the most delicate piece of art, endeavour to do it as perfectly as it is possible. When you write a letter, give it your greatest care, that it may be as perfect in all its parts as you can make it. Let the subject be sense, expressed in the most plain, intelligible, and elegant manner that you are capable of. If in a familiar epistle you should be playful and jocular, guard carefully that your wit be not sharp, so as to give pain to any person ; and before you write a sentence, examine it, even the words of which it is composed, that there be

be nothing vulgar or inelegant in them. Remember, my dear, that your letter is the picture of your brains ; and those whose brains are a compound of folly, nonsense, and impertinence, are to blame to exhibit them to the contempt of the world, or the pity of their friends. To write a letter with negligence, without proper stops, with crooked lines and great flourishing dashes, is inelegant ; it argues either great ignorance of what is proper, or great indifference towards the person to whom it is addressed, and is consequently disrespectful. It makes no amends to add an apology, for having scrawled a sheet of paper ; of bad pens, for you should mend them ; or want of time, for nothing is more important to you, or to which your time can more properly be devoted. I think I can know the character of a lady pretty nearly by her hand-writing. The dashers are all impudent, however they may conceal it from themselves or others ; and the scribblers flatter themselves with the vain hope, that, as their letter cannot be read, it may be mistaken for sense. I am very anxious to come to England ; for I have lately been unwell. The greatest happiness which I expect there, is to find that my dear girls have been assiduous in their learning.

‘ May God Almighty bless you, my beloved little Sarah, and sweet Mary, too.’—p. 430-32.

The other is addressed ‘ To his daughters,’ a few months afterwards.

‘ Endeavour, my beloved girls, to make yourselves worthy of them, by cultivating your natural understandings with care. Seek knowledge with assiduity, and regard the instruction of Mrs. Moss, when she explains to you what those qualities are which constitute an amiable and honourable woman. God Almighty has impressed on every breast a certain knowledge of right and wrong, which we call conscience. No person ever did a kind, a benevolent, a humane, or charitable action, without feeling a consciousness that it was good : it creates a pleasure in the mind that nothing else can produce ; and this pleasure is the greater, from the act which causes it being veiled from the eye of the world. It is the delight such as angels feel when they wipe away the tear from affliction, or warm the heart with joy. On the other hand, no person ever did or said an ill-natured, an unkind, or mischievous thing, who did not, in the very instant, feel that he had done wrong. This kind of feeling is a natural monitor, and never will deceive, if due regard be paid to it ; and one good rule, which you should ever bear in mind, and act up to as much as possible, is, never to say any thing which you may afterwards wish unsaid, or do what you may afterwards wish undone.

‘ The education of a lady, and, indeed, of a gentleman too, may be divided into three parts ; all of great importance to their happiness, but in different degrees. The first part is the cultivation of the mind, that they may have a knowledge of right and wrong, and acquire a habit of doing acts of virtue and honour. By reading history you will perceive the high estimation in which the memories of good and virtuous people are held ; the contempt and disgust which are affixed to the

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the base, whatever may have been their rank in life.—The second part of education is to acquire a competent knowledge how to manage your affairs, whatever they may happen to be; to know how to direct the economy of your house; and to keep exact accounts of every thing which concerns you. Whoever cannot do this must be dependent on somebody else, and those who are dependent on another cannot be perfectly at their ease. I hope you are both very skilful in arithmetic, which, independently of its great use to every body in every condition of life, is one of the most curious and entertaining sciences that can be conceived. The characters which are used, the 1, 2, 3, are of Arabic origin; and that by the help of these, by adding them, by subtracting or dividing them, we should come at last to results so far beyond the comprehension of the human mind without them, is so wonderful, that I am persuaded that if they were of no real use, they would be exercised for mere entertainment; and it would be a fashion for accomplished people, instead of cakes and cards at their routs, to take coffee and a difficult question in the rule of three, or extracting the square root.—The third part is, perhaps, not less in value than the others. It is how to practise those manners and that address which will recommend you to the respect of strangers. Boldness and forwardness are exceedingly disgusting, and such people are generally more disliked the more they are known; but, at the same time, shyness and bashfulness, and the shrinking from conversation with those with whom you ought to associate, are repulsive and unbecoming.

‘There are many hours in every person’s life which are not spent in any thing important; but it is necessary that they should not be passed idly. Those little accomplishments, as music and dancing, are intended to fill up the hours of leisure, which would otherwise be heavy on you. Nothing wearies me more than to see a young lady at home, sitting with her arms across, or twirling her thumbs, for want of something to do. Poor thing! I always pity her, for I am sure her head is empty, and that she has not the sense even to devise the means of pleasing herself. By a strict regard to Mrs. Moss’s instruction, you will be perfected in all I recommend to you, and then how dearly shall I love you! May God bless you both, my dearest children.’—pp. 448—450.

As a naval officer, skilled in the practical part of his profession, Lord Collingwood, we believe, had few equals. He was a strict disciplinarian, and kept his ship in the highest order without severity; to corporal punishments he had rarely occasion to resort, and, whenever that happened, it is stated, he was for many hours afterwards melancholy and silent, sometimes not speaking a word again for the remainder of the day. He never omitted assembling the crew on Sundays for divine worship; but he had no opinion of those saintly gentlemen, who were more attentive to praying, than to the comfort or discipline of the crew. ‘I cannot,’ he is said to have observed, ‘I cannot, for the life of me,

me, comprehend the religion of an officer who can pray all one day and flog his men all the next.' We hope this may be a salutary hint to some of the same class who, we have been given to understand, are still to be found in command of his majesty's ships, 'flogging' and 'praying' alternately, as in the time of Lord Collingwood.

When Lord St. Vincent repressed, in the Mediterranean fleet, the spirit of mutiny which had unhappily prevailed at the ports of England, he was so convinced of the excellence of that prompt and decisive system which Captain Collingwood pursued, that it was his frequent practice to draft the most ungovernable spirits into the *Excellent*. 'Send them to Collingwood,' he used to say, 'and he will bring them to order.'

'On one occasion, a seaman was sent from the *Romulus*, who had pointed one of the fore-castle guns, shotted to the muzzle, at the quarter-deck, and standing by it with a match, declared that he would fire at the officers, unless he received a promise that no punishment should be inflicted upon him. On his arrival on board the *Excellent*, Captain Collingwood, in the presence of many of the sailors, said to him, with great sternness of manner, "I know your character well, but beware how you attempt to excite insubordination in this ship; for I have such confidence in my men, that I am certain I shall hear in an hour of every thing you are doing. If you behave well in future, I will treat you like the rest, nor notice here what happened in another ship: but if you endeavour to excite mutiny, mark me well, I will instantly head you up in a cask, and throw you into the sea." Under the treatment which he met with in the *Excellent*, this man became a good and obedient sailor, and never afterwards gave any cause of complaint.'—pp. 42, 43.

His abhorrence of corporal punishment, and his conviction of its utter worthlessness, as the means of discipline, grew stronger with his experience, so that a whole year would sometimes pass over without a single man being flogged in his ship. 'I wish I were the captain for your sakes,' cried Lieutenant Clavell one day to some men who were doing some part of their duty not to his satisfaction, when some one touched him on the shoulder, and, turning round, he saw the Admiral, who had overheard him. 'And pray, Clavell, what would you have done if you had been captain?' 'I would have flogged them well, Sir.' 'No, you would not, Clavell; no, you would not,' he replied; 'I know you better.'

'When a midshipman made a complaint, he would order the man for punishment the next day; and, in the interval, calling the boy down to him, would say, "In all probability the fault was yours; but whether it were or not, I am sure it would go to your heart to see a man old enough to be your father disgraced and punished on your account;

account; and it will, therefore, give me a good opinion of your disposition, if, when he is brought out, you ask for his pardon." When this recommendation, acting as it did like an order, was complied with, and the lad interceded for the prisoner, Captain Collingwood would make great apparent difficulty in yielding; but at length would say, "This young gentleman has pleaded so humanely for you, that in the hope that you will feel a due gratitude to him for his benevolence, I will for this time overlook your offence."—p. 46.

Lord Collingwood always kept the men strictly to their duty, and when they were sick, he visited them daily, even when an admiral, and supplied them from his own table; but by his attention to discipline, cleanliness, and, above all, keeping the decks and their clothes dry, and the ship well ventilated, he had rarely more than five or six men on the sick-list, in a crew of eight hundred.

'The attention' (says his biographer) 'which Lord Collingwood paid to the health of his men has been already mentioned; but it may be added here, that in the latter years of his life he had carried his system of arrangement and care to such a degree of perfection, that perhaps no society in the world, of equal extent, was so healthy as the crew of his flag-ship. She had usually eight hundred men; was, on one occasion, more than one year and a half without going into port, and during the whole of that time never had more than six, and generally only four on her sick list. This result was occasioned by his attention to dryness, (for he rarely permitted washing between decks,) to the frequent ventilation of the hammocks and clothes on the booms, to the creating as much circulation of air below as possible, to the diet and amusement of the men, but, above all, by the contented spirits of the sailors, who loved their commander as their protector and friend, well assured that at his hands they would ever receive justice and kindness, and that of their comforts he was more jealous than of his own.'—pp. 310, 311.

The result of this conduct was, that 'though no man less courted, or, to speak correctly, more thoroughly despised, what is called popularity, the sailors considered him, and called him their father; and frequently, when he changed his ship, many of the men were seen in tears at his departure.' He would not permit his officers to make use of coarse or violent language to the men: 'If you do not know a man's name,' he would say, 'call him *sailor*, and not *you-sir*, and such other appellations: they are offensive and improper.' If he had to reprove an officer, it was always done in few words, and in the language of a gentleman; and, though strict in exacting from them the due performance of every part of their duty, he never teased or worried them with unnecessary trifles. From his superiors, on the other hand, he always expected that respect, to which, by his character and station, he was entitled. 'On

‘On one occasion, the Excellent was directed to weigh when off Cadiz, and to close with the Admiral’s ship, and in running down the signal was made five or six times for altering the course, first on one side and then on the other, and at length for a lieutenant. Captain Collingwood, who had been observing this in silence, ordered his boat to be manned, as he would go too. On his arrival on board, he desired the lieutenant, when the order was copied, to bring it to him; and he read it while he was walking the quarter-deck with Lord St. Vincent and Sir Robert Calder. It was merely an order for the Excellent to receive on board two bags of onions for the use of the sick; and on seeing it, he exclaimed, “Bless me! is this the service, my lord—is this the service, Sir Robert? Has the Excellent’s signal been made five or six times for two bags of onions? Man my boat, sir, and let us go on board again!” And though repeatedly pressed by Lord St. Vincent to stay dinner, he refused, and retired.’—pp. 48, 49.

Nothing annoyed him more than to have ships sent out to be placed under his orders that were commanded by inexperienced boys. ‘Every three brigs,’ says he, ‘that come here, commanded by three boys, required a dock-yard—better to give them pensions, and let them stay on shore.’ In another place he says, speaking of a certain person, ‘I suppose, when he has dawdled in a ship six years, he will think himself very ill used if he be not made a lieutenant. Offices in the navy are now made the provision for all sorts of idle people.’ In a letter to Lady Collingwood, he says,—

‘— writes to me that her son’s want of spirits is owing to the loss of his time when he was in England, which is a subject that need give her no concern, for if he takes no more pains in his profession than he has done, he will not be qualified for a lieutenant in sixteen years, and I should be very sorry to put the safety of a ship and the lives of the men into such hands. He is of no more use here as an officer than Bounce is, and not near so entertaining. She writes as if she expected that he is to be a lieutenant as soon as he has served six years, but that is a mistaken fancy; and the loss of his time is while he is at sea, not while he is on shore. He is living on the navy, and not serving in it. —, too, is applying to go home. If he goes he may stay: for I have no notion of people making the service a mere convenience for themselves, as if it were a public establishment for loungers.’—pp. 361, 362.

The young midshipmen placed under his care were treated by him with parental regard; he attended to their morals and their studies; examining them in the proficiency they had made regularly once a week. There is a letter (at page 12) addressed to a young gentleman of the name of Lane, containing such admirable advice for his conduct, that it ought to be read and got by heart

heart by every midshipman in his majesty's navy.* Indeed the whole book may be considered as the sailor's manual, from which officers of all ranks may derive profit, and on this account we could have wished that Mr. Collingwood had printed it in a more convenient and cheap form than that of a thick quarto, of five hundred pages. But this may, and, we cannot doubt, will, be done hereafter; for the book is sure to be reprinted many times. We cannot conclude without adverting to a subject introduced by the editor, on which, we conceive, he has mistaken and mistated Lord Collingwood's sentiments:—it is that of impressment; the exercise of which, we confidently believe, is considered by every officer of experience as essentially necessary for the manning of the fleet, and of vital importance to the British navy. 'Lord Collingwood,' says the editor, 'had ever been adverse to impressment, and early after the mutiny at the Nore, had been studious to discover some means of avoiding the too frequent recourse to that system.' Here we are persuaded Mr. Collingwood has ascribed to his noble relative a sentiment and a motive which do not belong to him, and which are not borne out by any part of his lordship's correspondence. As we feel very desirous that Lord Collingwood's sentiments should not be misrepresented on a subject of

* The following is an extract from that inimitable letter to Mr. Lane. We recommend it to the most serious consideration of young men in every profession:—

'You may depend on it, that it is more in *your own power than in any one's else to promote both your comfort and advancement.* A strict and unwearied attention to your duty, and a complaisant and respectful behaviour, not only to your superiors, but to every body, will ensure you their regard, and the reward will surely come, and I hope soon, in the shape of preferment: but *if it should not, I am sure you have too much good sense to let disappointment sour you. Guard carefully against letting discontent appear in you; it is sorrow to your friends, a triumph to your competitors, and cannot be productive of any good.* Conduct yourself so as to deserve the best that can come to you; and the consciousness of your own proper behaviour will keep you in spirits, if it should not come. Let it be your ambition to be foremost on all duty. Do not be a nice observer of turns, but for ever present yourself ready for everything, and if your officers are not very inattentive men, they will not allow the others to impose more duty on you than they should: but *I never knew one who was exact not to do more than his share of duty, who would not neglect that, when he could do so without fear of punishment.* I need not say more to you on the subject of sobriety, than to recommend to you the continuance of it as exactly as when you were with me. Every day affords you instances of the evils arising from drunkenness. Were a man as wise as Solomon, and as brave as Achilles, he would still be *unworthy of trust* if he addicted himself to grog. He may make a drudge, but a respectable officer he can never be; for the doubt must always remain, that the capacity which God has given him will be abused by intemperance. Young men are generally introduced to this vice by the company they keep: but do you carefully guard against ever submitting yourself to be the companion of low, vulgar, and dissipated men; and hold it as a maxim, that you had better be alone than in mean company. Let your companions be such as yourself, or superior; for the worth of a man will be always rated by that of his company. You do not find pigeons associate with hawks, or lambs with bears; and it is as unnatural for a good man to be the companion of blackguards. Read—let me charge you to read. Study books that treat of your profession, and of history. Thus employed, you will always be in good company.'

so much importance, we shall endeavour to point out what we suppose to have been the origin of the editor's mistake; and first, with regard to his lordship's 'aversion,' which, we apprehend, is inferred merely from the following paragraph in one of his letters:—

'I have got,' says Lord Collingwood, 'a nurseryman here, from Brighton. It is a great pity that they should press *such a man*, because, when he was young, he went to sea for a short time. They have broken up his good business at home, distressed his family, and sent him here, where he is of little or no service. I grieve for him, poor man.'

It is quite clear that, in this paragraph, not a syllable is expressed, nor anything whatever implied, against impressment, his lordship only lamenting that they should have impressed *such a man*: he regrets the indiscreet exercise of a power, but never thinks of questioning the propriety of the power itself. The law says that, landsmen, having used the sea *two years*, are liable to the impress; meaning, no doubt, such as continue to use the sea, not such as had long disused it, as appears to have been the case of the poor nurseryman, whom no considerate officer would have molested.

But the editor says—'early after the mutiny at the Nore, Lord Collingwood had been studious to discover some means of avoiding the too frequent recourse to that system' (of impressment). It might be supposed from this that the mutiny at the Nore was caused by impressment: the very reverse, however, is the case: it was caused, as is well known, by a set of rascals of the very worst description,—attorneys' clerks and such like,—sent into the fleet under the name of *quota men*, who, by their writings and speeches, succeeded in sowing discontent in the minds of the seamen; and it is this sort of wretches which some of our soft-hearted senators would again introduce by way of substitutes for impressed seamen. These, however, were not Lord Collingwood's substitutes.

'He had found,' says his editor, 'that Irish boys, from twelve to sixteen years of age, when mingled with English sailors, acquired rapidly the order, activity, and seaman-like spirit of their comrades; and that, in the climate of the Mediterranean, they often, in less than two years, became expert topmen; while adults, who had been little habituated to the sea, but torn by impressment from other occupations, were generally ineffective and discontented.'

Mr. Collingwood, though a landsman, will readily understand that the 5000 Irish boys recommended by Lord Collingwood, would go but a short way to keep up the number of about 120,000 seamen, employed during the late war, though they might be brought in aid of the usual means of raising men for the fleet.

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That the rigour of impressment may be modified, most naval officers appear to be agreed; but none, we believe, have had the hardihood to affirm that it might be dispensed with altogether. If, on the breaking out of a war, the English fleet should not be the first to get possession and command of the Channel, which, without the aid of impressment, it could not possibly do, we should hear such a clamour from the merchants of London, Liverpool, Bristol, and other ports of the united empire, as nothing but the utmost severity of an impress, to enable our fleet to meet that of the enemy, could satisfy or allay. Then, indeed, men 'but little habituated to the sea,' (that is, provided they had used it *two years*,) 'would be torn by impressment from other occupations;' a measure which would not be necessary so long as the impressment of seamen continues to be the legal and constitutional prerogative of the king. We have, just now, some twenty thousand choice seamen in employ, but where are they?—scattered over twenty different and distant parts of the world; there are, we believe, about 25,000 out-pensioners of Greenwich Hospital, 10,000 of whom might probably be available to assist in fitting out and completing the guard-ships at home: the rest must be made up by impressment or by volunteers; but the latter are raised by a very slow process; and though an increase of bounties, the panacea of some, might facilitate, it would go but a little way to expedite, the raising of men. The fleet, on a moderate scale, once manned, some relaxation of impressment may take place: such men, for instance, as had served a certain number of years, might be paid off;—they would, almost to a man, return to the king's service. The good treatment which seamen now receive, the almost total discontinuance of flogging, which has been, year by year, getting more and more into discredit and disuse—the sufficiency and excellent quality of their provisions; their improved clothing; the distinctions which petty officers have conferred on them; the numerous comforts that of late have been introduced into ships of war; and the very handsome pensions which long service, wounds, or disabilities entitle them to receive, to say nothing of that pride of conscious superiority which a man-of-war's man feels over the drudge in a merchant-ship, will always ensure a preference to the navy, and we have little doubt would, after the first manning of the fleet, cause the evils of impressment hardly to be felt; but modification is one thing, abolition another; and we most sincerely trust that the latter measure will never be applied to this ancient and undoubted prerogative of the crown.

With this short explanation, which we deemed due to Lord Collingwood, we once more thank the editor for his highly im-

portant and very valuable work. It is one which will occupy a permanent place in the English library, when all the puffed and placarded biographies and autobiographies which have of late years disgraced the press of this country, shall be as utterly forgotten as if the paltry beings whose vanity and insignificance they display had never existed. The portrait of one English Worthy more is now secured to posterity.

ART. IV.—*Lord Byron and some of his Contemporaries.* By Leigh Hunt. London, 1828. Quarto. pp. 513.

‘**L**ORD NELSON and some of his Contemporaries’ would look well on the title-page of a large and sumptuous quarto volume: but what would mankind, or womankind, or childkind think, if the contemporaries *par excellence*—the chosen ‘some’—of his lordship, turned out to be Captain Augustus Pry, of the Margate Hoy, and a few more worthies of the like calibre? Or would vulgar wonder be diminished on finding that of 513 pages introduced with that eternal blazon, some 150 were given to the victor of Trafalgar, and about double that number to Mr. Pry himself,—a satisfactory deduction of his pedigree from ‘P. P. clerk of this parish,’ and a copious account of his achievements in the rencontre with the Wallsend Collier, the demonstration of the Wapping press-gang? &c., &c.; while in the minor, but still important department of graphic embellishment; a twopenny blank profile falling to the share of the lamented Admiral, the pencil and graver had bestowed their most elaborate and costly exertions on the surviving heroes of the steam-service?

Let us not, however, be unjust to Mr. Leigh Hunt, contemporary of Lord Byron. We find, on referring to his preface, that he disclaims, though not with indignation,—that, alas! he durst not—the catchpenny arrangement of the title-page now before us, and indeed of the contents of the book itself. Had the bookseller permitted the author to obey the dictates of his own taste and judgment, the newspapers, instead of announcing for six months, in every variety of puff direct and puff oblique, the approaching appearance of ‘Lord Byron and some of his Contemporaries,’ would have told us in plain terms to expect the advent of Mr. Leigh Hunt and *his* following; the ‘pale face rescued from insignificance by thought’ which Mr. Hunt assures us he carries about with him would have fronted Mr. Hunt’s title-page; and Mr. Hunt’s recollections of Lord Byron would have been printed by way of modest appendix to the larger and more interesting part of the work, namely, the autobiography of Mr. Hunt.

‘The account of Lord Byron,’ says this ingenuous writer, ‘was not meant to stand first in the book. I should have kept it for a climax.’

climax. My own reminiscences, I fear, coming after it, will be like bringing back the Moselle after devils and Burgundy. But my publisher thought it best: *perhaps it is so*; and I have only to hope, that in adding to the attractions of the title-page, it will not make the greater part of the work seem unworthy of it.—*Preface*, p. vii.

How graceful is that ‘I fear!’ how delicately modest the parallel case which it introduces! Let us not be critical about trifles. The poet of Alma thought himself very philosophical when he said—

‘Yes! let the goddess smile or frown,
Bread we shall eat, or white or brown,
And in a cottage or a court
Drink fine champagne or muddled port.’

We are far from being reduced to such alternatives by the *presens divus* of Mr. Leigh Hunt. Both of our Burgundy and our Moselle, we are sure; and shall we quarrel with our liberal Amphytrion of Conduit Street, about the particular epoch of his rich repast at which it pleaseth him to whisper to the minister of his will—

‘Boy! let yon liquid ruby flow?’

We are constrained to add, however, that on this occasion our ‘pensive hearts’ have withstood the influence both of Burgundy and Moselle. To our fancy, dropping metaphors, this is one of the most melancholy books that any man can take up. The coxcombries of Mr. Hunt’s style both of thought and language, were these things new, and were they all, might indeed furnish inextinguishable laughter to the most saturnine of readers. But we had supped full with these absurdities long ago, and have hardly been able to smile for more than a moment at the most egregious specimens of cockneyism which the quarto presents; and even those who have the advantage of meeting Mr. Leigh Hunt for the first time upon this occasion, will hardly, we are persuaded, after a little reflection, be able to draw any very large store of merriment from his pages. It is the miserable book of a miserable man: the little airy fopperies of its manner are like the fantastic trip and convulsive simpers of some poor worn-out wanton, struggling between famine and remorse, leering through her tears.

‘I must confess,’ says this unhappy man in his preface, ‘that such is my dislike of these personal histories, in which it has been my lot to become a party, that had I been rich enough, and could have repaid the handsome conduct of Mr. Colburn, with its proper interest, my first impulse would have been to put it into the fire.’

And over and over again, in the course of the book itself, we have such parentheses as the following:

‘—But I fear I am getting a little gossiping here beyond the record—such is the *contamination* of these personal histories.’—p. 13.

‘I will not repeat what was said and lamented on this subject. I would

would not say anything about it, nor about twenty other matters, but that they hang together more or less, and are connected with the truth of a portrait which it has become *necessary* for me to paint.'—p. 25.

With such a feeling running cold all the while at the bottom of his heart, does this unfortunate proceed to fill page after page, through a long quarto volume, with the meanest details of private gossip,—dirty gabble about men's wives and men's mistresses,—and men's lackeys, and even the mistresses of the lackeys (p. 13)—and, *inter alia*, with anecdotes of the personal habits of an illustrious poet now no more, such as could never have come to the knowledge of any *man* who was not treated by Lord Byron either as a friend or as a menial. Such is the result of 'the handsome conduct' of Mr. Hunt's publisher—who, we should not forget, appears to have exercised throughout* the concoction of this work, a species of authority somewhat new in the annals of his calling:

'Thou profane man! I ask thee with what conscience
Thou canst advance that idol against us
That have the seal? Were not the shillings numbered
That made the pounds? Were not the pounds told out?'

'I have lived in their houses,' (said Byron, speaking of the Italians,) 'and in the heart of their families, sometimes merely as *amico di casa*, and sometimes as *amico di cuore*, and in neither case do I feel myself authorized in making a book of them.'† His Lordship's contemporary has struggled against the same feeling; and though he has sinned in spite of his conscience, the struggle is not to be forgotten. We shall at least endeavour to suppress contempt, on this occasion, in compassion.

Not having the fear of a publisher-editor before our eyes, we shall gratify Mr. Hunt by considering his materials in the order in which he, if he could have had his own way, would have presented them—and begin with his autobiography; out of which some future D'Israeli will, no doubt, add a curious chapter to the annals of the 'Calamities of Authors.' This gentleman does not now, for the first time, introduce his personal history to the public, and our readers may find in former numbers of this journal, all that we could wish to say on the most important points of it. His account of his father is, however, new; and very offensive as well as absurd as is the style in which he chooses to tell that story, we must say the chief inferences to be drawn from its facts are, in one point of view at least, favourable to the unfortunate writer.

It appears that the father of Mr. Leigh Hunt was a native of

* See various letters addressed by Mr. Hunt, in January, 1828, to the editor of the Morning Chronicle.

† MS. letters *penes nos*.

Barbadoes, who established himself in Philadelphia as a practising attorney and barrister, and had considerable success in his profession. He was a tory; and when the rebellion broke out, took the side of the government so warmly, as to make himself an object of suspicion and hatred among the insurgents. He was, in fact, driven by a mob-riot from America; and arrived in this country with high hopes of being munificently rewarded for his loyalty. Remembering the history of Warburton, the shrewd attorney took orders, and, according to his son's narrative, became the popular preacher of some gay chapel. Mr. Hunt speaks with no respect of his father's talents, but represents him as a graceful elocutionist. He was, we gather, one of those comely, smooth-tongued, demi-theatrical spouters who sometimes command for a season or two the rapture of pretty ladies, and the flutter of perfumed pocket-handkerchiefs. Totally destitute of the learning of his new profession, and by no means remarkable, if we are to believe his son, for clerical propriety of habits, it is not wonderful that the creole orator was disappointed in his expectation of church patronage; or indeed, that, after a little time, his chapel-celebrity was perceptibly on the decline. Government gave him a moderate pension as an American loyalist; and as soon as he found that this was to be all, the reverend gentleman began to waver somewhat in his opinions both as to church and state. In a word, he ended in being an unitarian, and a republican, and an universalist; and found that this country was as yet far too much in the dark to approve either of his new opinions, or of the particular circumstances under which he had abandoned his old ones. Worldly disappointment soon turns a weak mind sour; and stronger minds than this have had recourse to dangerous stimulants in their afflictions. The steps of degradation are broad and easy; and Mr. Leigh Hunt describes himself, in a passage which, in spite of all his foppery, is pathetic, as tracing his earliest recollections to a prison.

Were we in the humour for mirth, the details of this story might furnish enough of it. The Reverend Isaac Hunt was, among other chances and changes, tutor for a little time to Mr. Leigh, father to the present Mr. Chandos Leigh, of Stoneleigh, and nephew to the last Duke of Chandos.

'To be tutor in a ducal family,' says the son, 'is one of the roads to a bishopric. My father *was thought* (by whom?) to be in the highest way to it. . . . His manners were of the *highest order* (?): his principles in church and state as orthodox, TO ALL APPEARANCE, as could be wished; and he had given up flourishing prospects in America for their sake. But his West Indian temperament spoiled all. He also, as he became *acquainted* (how?) with the government, began to doubt its perfection: and THE KING, whose minuteness of information respecting the personal affairs of his sub-

jects

jects is well known, was DOUBTLESS prepared with questions which THE DUKE was not equally prepared to answer, and perhaps did not hazard.'—p. 313.

The curiosity of George the Third, by the grace of God King of Great Britain, France, and Ireland, about Mr. Isaac Hunt was doubtless intense. But the chance, however narrow, by which the latter individual escaped a mitre, was a fortunate one for the world—

'If it may be some vanity in us,' says our author, 'at least it is no dishonour to our turn of mind to hope that we may have been the means of circulating more knowledge and entertainment in society than if he had attained the bishopric he looked for, and left us ticketed and labelled among the acquiescent.'—p. 315.

Here let us rest for a moment, and be thankful. The Reverend Isaac Hunt did not get Gloucester; but we have got the Examiner paper, and the Liberal, and Foliage, and Rimini, and a translation of Voltaire's Philosophical Dictionary, in threepenny numbers. Here is another strong exemplification of the justice with which poets as well as divines have proclaimed

'All partial evil universal good.'

Mr. Hunt lays it down as an axiom, that it is impossible to have too much information about truly great men; and this principle has governed him throughout the composition of his autobiography. Whether Rousseau, or Montaigne, (from whom he takes his motto,) or Colley Cibber's apology, formed, to his fancy, the chief and best model, we know not; but on the whole, it is our opinion that the present work will remind ordinary readers of Brasbridge's Memoirs more frequently than of any others, except perhaps those of P. P. We are extremely sorry that our limits must prevent us from going very minutely into the details of this performance—The reader must be referred to the quarto itself for all the particulars about the Reverend Isaac Hunt's method of smoking tobacco; and about the establishment of the late Mr. Benjamin West, (who was connected with the family by his marriage,) especially his porter James, 'a fine tall fellow, who figured in his master's pictures as an apostle;' who was 'as quiet as he was strong;' and with whom 'standing for his picture had become a sort of religion;' and 'the butler, with his little twinkling eyes, full of pleasant conceit, venting his notions of himself in half tones and whispers—a strange fantastic person;' and of 'the picture that the butler wore on his shirt-pin' (p. 333); and how Mr. Leigh Hunt, *adhuc imberbis*, visited the family of Alderman Thornton, at his house in Austin Friars; and how 'a private door opened into a garden belonging to the Company of Drapers, so that what with the secluded nature of the street itself, and those verdant

verdant places behind it, it was truly *rus in urbe* and a retreat; and how Mr. Leigh Hunt 'has been told the cranberries he has met with since *must* be as fine as those he got with the T.'s, as large, and as juicy, and that they came from the same place; and for all that he (Mr. Hunt) never ate a cranberry tart since he dined in Austin Friars' (p. 336); and how an aunt of his, that lived in Great Ormond-street, 'had something of the West Indian pride, but all in a good spirit, and was a mighty cultivator of the *gentilities*;' insomuch that her nephew 'durst not appear before her with dirty hands, she would have scolded so handsomely' (p. 337); and how the author of Rimini's 'first flame, or notion of a flame; which is the same thing in those days, was for his giddy cousin Fan, a quicksilver West Indian;' and how of the first half-guinea he received 'one shilling was devoted to pears, another to apples, another to cakes, and so on,' till coming to the last sixpence, 'and, being struck with a recollection that I ought to do something useful, with that I bought sixpenn'orth of shoestrings' (p. 338); and how his 'cousins had the celebrated Dr. Calcott for a music-master;' and how the doctor made Mr. Leigh Hunt a present of Schrevelius's Lexicon, and 'when he came down to Merton let him ride his horse' (which probably was a job one); and how 'walking one day by the little river Wandle our author came upon one of the loveliest girls he ever beheld, standing in the water with bare legs, washing some linen' (p. 341); and how cousin Fan 'was a lass of fifteen with little laughing eyes, and a mouth like a plum;' and how the young poet's heart, when in her presence, 'was in a vague dream of beauty, and female cousins, and green fields, and a feeling which, though of a warm nature, was full of fears and respect' (p. 344); and how 'she and I used to gather peaches before the house were up; I held the ladder for her; she mounted like a fairy, and when I stood doating on her as she looked down and threw the fruit in my lap, she would cry *Petit garcon*, you will let 'em all drop' (p. 345)—and all about Christ's Hospital, where Mr. Hunt received his education; and how he looked in his blue petticoats and yellow stockings; and how the meat at the Hospital was in those days tough, and the milk-porridge 'ludicrously thin' (p. 353); and how 'Miss Patrick, daughter of the lamp-manufacturer in Newgate-street, was one of the goddesses of the school' (p. 360); and Mr. Hunt 'used to identify her with the picture of Venus in Tooke's Pantheon' (ibid.); and how one of the masters, 'when you were out in your lessons, turned upon you with an eye *like a fish*' (p. 362), and 'generally wore grey worsted stockings, very tight, with a little balustrade leg,' &c. &c.; and how 'speaking of fruit reminds me of a *pleasant trait* on the part of a Grecian

Grecian of the name of Le Grice. He was the maddest of all the great boys of my time; clever, full of address, and not hampered with modesty. Remote rumours, not lightly to be heard, fell on our ears respecting pranks of his among the nurses' daughters. He was our Lord Rochester,' &c. &c. (p. 367);

and how Mr. Leigh Hunt scalded his shins, 'when sitting before the fire, one evening, after the boys had gone to bed, wrapped up in the perusal of the Wonderful Magazine,' (p. 377); on which melancholy occasion, 'the whole of his being seemed collected in one fiery torment about his legs,' (p. 378); and how, at last, he was taken away from the hospital:—

'The fatal hat was put on; my father was come to fetch me:—

We, hand in hand, with strange new steps and slow,

Thro' Holborn took our meditative way'—p. 380;

and how, shortly after this, Mr. Isaac Hunt collected and published, by subscription, a volume of verses written by his son; and how, 'as it was unusual, at that time, to publish at so early a period as *sixteen*,'—(rapid as the march of intellect has been, we really had not been aware that this was, as yet, usual)—the author's 'age made him a kind of young Roscius;' and how the author was, 'perhaps, as proud of his book then, as he is ashamed of it now;' and *why* the book is worthless in the author's estimation now; to wit, because

'The FRENCH REVOLUTION had not then, as afterwards, by a natural consequence, shaken up and refreshed the sources of thought ALL OVER EUROPE'—p. 380;

and how, 'not long after this period,' Mr. Hunt 'ventured on publishing his first prose, which consisted of a series of essays, under the title of *The Traveller*, (an appropriate title for a gentleman, who had actually been to Brentford,) 'by Mr. Town, Junior, Critic, and Censor-General;' they 'came out in the evening paper of that name, and were imitations, as the reader will guess, of the Connoisseur;' and how, in the author's opinion, *anno domini*, 1828, 'they were lively, and showed a tact for writing; but nothing more:'—

'There was something, however, in my writings, at that period, and for some years afterwards, which, to OBSERVERS, might have had an interest beyond what the author supplied, and amounted to a *sign of the times*. I allude to a fondness for imitating Voltaire.'—p. 391.

'An abridgment that I picked up of the Philosophical Dictionary (a translation) was, for a long while, my text-book both for opinion and style.'—p. 392.

Mr. Hunt then fills several pages of his quarto with blasphemous extracts from the last number of the Philosophical Dictionary now printing in that commodious fashion at the Examiner press; and

and having used his scissors and paste as largely as he judged right and proper in regard to the interests of the proprietors of that useful work, he adds, 'At these passages I used to roll with laughter; and I cannot help laughing now, writing, as I am, alone, by my fire-side,' (p. 394). This intelligent admirer of Voltaire goes on to inform us how he wrote a tragedy, entitled, *The Earl of Surrey*, and a farce, called *The Beau Miser*, and another, called *A Hundred a Year*; and how he formed an acquaintance with Mr. Bell, proprietor of 'The Weekly Messenger,' who was, 'upon the whole, a remarkable person,'—'a plain man, with a red face, and a nose exaggerated by intemperance,' (p. 398); and also with Bandini, the editor of Mr. Bell's paper, 'who looked the epitome of squalid authorship,' (p. 400); and how—here we come, at last, to classical ground:—

'My brother John, at the beginning of the year 1805, set up a paper called *The News*, and I went to live with him in Brydges-street, and wrote the theatrical articles in it. It was HE that INVENTED THE ROUND WINDOW IN THE OFFICE OF THAT PAPER TO ATTRACT ATTENTION.'—p. 401.

Mr. John Hunt's round window was a happy invention, though not equal, we think, either to Mr. Henry Hunt's blacking van, or Mr. Leigh Hunt's present title-page. But to return. In 'The News,' Mr. Leigh Hunt entertained the town with articles on the theatrical performers of the time, which had, as we remember, very considerable influence and success; so much so, that he ere long determined to set up a paper of his own; whence 'The Examiner.' In that newspaper, Mr. Hunt continued his lively strictures on the affairs of the green-room, and, by degrees, began to aspire to higher game. In a word, he was ere long known to the public as the editor and chief writer of one of the most profligate radical prints of the day, which was, moreover, distinguished above all the rest of its tribe, for the promulgation of opinions on the subjects of morality, and religion, such as may easily be inferred from his juvenile admiration of the *Philosophical Dictionary*. He published, from time to time, little volumes of poetry, which, although they have all passed into utter oblivion now, exhibited occasional traces of feeling and fancy, sufficient to make good men lament, while they condemned, the vicious prostitution of the author's talents in his regular labours of the hebdomadal broad-sheet; but all warning was in vain. Surrounding himself with a small knot of fantastic smatterers, he found immediate gratification of his overweening vanity in the applauses of this coxcombical circle; and lost, as a necessary consequence, all chance of obtaining a place in the upper ranks of literature.

'With

‘With wittings passed his days,
 To spread about the itch of verse and praise,
 And, like a puppy, daggled through the town
 To fetch and carry sing-song up and down,
 And at rehearsals sweat, and mouthed, and cried,
 With handkerchief and orange at his side.’

We need not dwell on the short-lived glitter and merciless catastrophe of this very small ambition : *Stat nominis umbra*. Indeed, nobody seems to be more thoroughly aware of the hopelessness of the case than the publisher of the work now before us ; hence the ‘attractions of the title-page ;’ and Mr. Hunt’s truly humiliating apology for the false colours under which he has found it necessary to re-open his long-silent battery of paper pellets.

We had always understood, that Mr. Hunt, before he was known by anything but his juvenile verses, obtained some situation in the War-office ; and that he lost this, after many warnings, in consequence of libelling the Duke of York, then commander-in-chief, in the newspapers ; but of this story, there is no trace in the quarto before us, and we, therefore, suppose it must have been, at least, an exaggeration. If it were true, it might account, in some measure, for the peculiar bitterness of personal spleen with which the Examiner, from the beginning of its career, was accustomed to treat almost every branch of the Royal family. It is well known, that an indecent libel on the Prince Regent, which appeared in that vehicle of scandal, at last drew on Messrs. Hunt the notice of the attorney-general : they were tried and condemned to two years’ imprisonment, and, we believe, a pretty large fine besides, though we do not remember the exact amount ; and this affair gave a blow to the Examiner from which it never recovered.

Mr. Hunt’s account of this trial, and the subsequent imprisonment, is one of the richest specimens of vanity and affectation that even he has ever put forth :—

‘I put my countenance,’ he tells us, ‘in its best trim. I made a point of wearing my best apparel ; put on my new hat and gloves, and descended into the legal arena to be sentenced gallantly. As an instance of *the imagination* ! with which I am accustomed to mingle everything, I was, at that time, reading a little work to which Milton is indebted, the *Comus* of Erycius Puteanus, and this, which is a satire on “Bacchuses and their revellers,” I pleased myself with having in my pocket’ !

But the following is still more exquisite :—

‘There is reason,’ says Mr. Hunt, ‘to think, that Lord Ellenborough was little less easy than ourselves. . . . He did not even look at us, when he asked, in the course of his duty, whether it was our wish to make any remarks.’—p. 415.

Poor

Poor Lord Ellenborough! how completely that timid spirit had been overawed by the new hat and gloves, and dignified bearing of Mr. Examiner! Bradshaw's inward tremblings were nothing to this!

Mr. Hunt appears to have done wonders with his quarters in the Borough:—

'I papered the walls with a trellis of roses; I had the ceiling coloured with clouds and sky; the barred windows were screened with Venetian blinds; and when my bookcases were set up, with their busts, and flowers and a piano-forte made their appearance, perhaps there was not a handsomer room on that side of the water.

But I had another surprise; which was a garden: there was a little yard, outside the room, railed off for another, belonging to the neighbouring ward. This I shut in with green railings, &c. &c. &c. Here I write and read, in fine weather, sometimes under an awning. In autumn, my trellises were hung with scarlet runners, which added to the *flowery investment*!'—pp. 424, 5.

We presume the turnkeys make a pretty penny by showing the spot where the great Mr. Hunt actually

'sat amidst his books, and saw the imaginary sky overhead and the paper roses about him.'—p. 425.

The Raleigh chamber in the Tower, Galileo's dungeon at Rome, and Tasso's at Ferrara, are the only scenes of parallel interest that, at this moment, suggest themselves to our recollection.

It was during this memorable confinement, that Mr. Hunt first became acquainted with the noble poet, whose name he has blazoned on his present title-page. Mr. Moore, who was, at that period, silly enough to entertain the saloons of our Whig aristocracy with certain performances of which, we have no doubt, he is now heartily ashamed, might not unnaturally feel some sympathy with the suffering Examiner; and he appears to have carried Lord Byron to visit the classical scenery of the imaginary sky and paper roses. Thus, charitably on the part of Lord Byron, began his intercourse with the gentleman, who now pays a debt to a bookseller by trampling on his grave.

Giving Mr. Hunt full credit for his adoption of the apothecary's

'My poverty but not my will consents'—

we shall touch as gently as possible on this matter; but a few words are demanded, in all justice and in all equity. His apology, *ex crumena*, is an admission, *in limine*, that his book is an attack on the character of Lord Byron; and he has farther the candour to admit as follows:—

'What was to be told of the noble poet involved of necessity a painful

painful retrospect; and humanize as I may, and as I trust I do, upon him, as well as everything else—and certain, as I am, that although I look upon this or that man as more or less pleasant and admirable, I partake of none of the *ordinary notions of merit and demerit* with regard to any one'—(what means this prate?) 'I could not conceal from myself, on looking over the MS. that in renewing my intercourse with him in imagination, I had involuntarily felt a re-access of the spleen and indignation which I experienced as a man who thought himself ill-treated.'—*Preface*, p. v.

Now the questions which we feel ourselves bound to ask of Mr. Hunt, are simply these:—Did the personal intercourse between him and Lord Byron terminate in an avowal on his (Mr. Hunt's) part of *hostility*? And, Would he have written and published about Lord Byron in the tone and temper of this work had Lord Byron been alive? Except when vanity more egregious than ever perverted a human being's thoughts and feelings interferes, we give Mr. Hunt some credit for fairness—and if he can answer these two questions in the affirmative, we frankly admit that we shall think more charitably, by a shade or two, of this performance than, in the present state of our information, we are able to do.

One thing is certain: namely, that Mr. Hunt's brother continued to be Lord Byron's publisher to the last. It is equally certain, that we have now before us a voluminous collection of Lord Byron's private correspondence, addressed, for the most part, to persons whom Mr. Hunt, however ridiculously, describes as his own personal enemies—letters written before, during, and after the period of Mr. Hunt's intercourse with Lord Byron in Italy; and although there occur many jokes upon Mr. Hunt, many ludicrous and *quizzical* notices of him, yet we have sought in vain for a single passage indicative of spleen or resentment of any shape or degree. On the contrary, he always upholds Mr. Hunt, as a man able, honest, and well-intentioned, and therefore, in spite of all his absurdities, entitled to a certain measure of respect as well as kindness. The language is uniformly kind. We shall illustrate what we have said by a few extracts. Mr. Hunt will perceive that Lord Byron's account of his connexion with *The Liberal* is rather different from that given in the book on our table. Mr. Hunt describes himself as pressed by Lord Byron into the undertaking of that hapless magazine: Lord Byron, on the contrary, represents himself as urged to the service by the Messrs. Hunt themselves.

'Genoa, Oct. 9th, 1822.—I am afraid the Journal is a bad business, and won't do, but in it I am sacrificing myself for others. I can have no advantage in it. I believe the *brothers Hunts* to be honest men; I am sure that they are poor ones; they have not a Nap. They pressed me to engage in this work, and in an evil hour I consented:
still

still I shall not repent if I can do them the least service. I have done all I can for Leigh Hunt since he came here, but it is almost useless; his wife is ill; his six children not very tractable; and in affairs of this world he himself is a perfect child. The death of Shelley left them totally aground; and I could not see them in such a state without using the common feelings of humanity, and what means were in my power to set them afloat again.

Again—Mr. Hunt represents Lord Byron as dropping his connexion with *The Liberal* partly because his friends at home (Messrs. Moore, Hobhouse, Murray, &c.) told him, it was a discreditable one, and partly because the business did not turn out lucrative.

‘It is a mistake to suppose, that he was not mainly influenced by the expectation of profit. He expected very large returns from *The Liberal*. Readers in these days need not be told, that periodical works which have a large sale are a mine of wealth: Lord Byron had calculated that matter well.’—*Lord Byron and his Contemporaries*, p. 50.

‘The failure of the large profits—the non-appearance of the golden visions he had looked for, of the Edinburgh or Quarterly returns—of the solid and splendid proofs of this new country, which he should conquer in the regions of notoriety, to the dazzling of all men’s eyes and his own—this it was—this was the bitter disappointment which made him determine to give way.’—*Ibid.* p. 51.

Now let us hear Lord Byron himself:

‘*Genoa*, 9^{bre} 18th, 1822.—They will, of course, attribute motives of all kinds; but I shall not abandon a man like Hunt because he is unfortunate. Why, I could have no *pecuniary* motives, and, least of all, in connexion with Hunt.’

‘*Genoa*, 10^{bre} 25th, 1822.—Now do you see what you, and your friends do by your injudicious rudeness? actually cement a sort of connexion which you strove to prevent, and which, had the Hunts prospered, would not, in all probability, have continued. As it is, I will not quit them in their adversity, though it should cost me character, fame, money, and the usual et cetera. My original motives I already explained; (in the letter which you thought proper to show;) they are the *true* ones, and I abide by them, as I tell you, and I told Leigh Hunt, when he questioned me on the subject of that letter. He was violently hurt, and never will forgive me at the bottom; but I cannot help that. I never meant to make a parade of it; but if he chose to question me, I could only answer the plain truth, and I confess, I did not see any thing in the letter to hurt him, unless I said he was “a bore,” which I don’t remember. Had this *Journal* gone on well, and I could have aided to make it better for them, I should then have left them after a safe pilotage off a lee shore to make a prosperous voyage by themselves. As it is, I can’t, and would not if I could, leave them among the breakers. As to any community of feeling, thought, or opinion, between Leigh Hunt and me, there is little or none. We

meet

meet rarely, hardly ever; but I think him a good principled and able man, and must do as I would be done by. I do not know what world he has lived in; but I have lived in three or four, but none of them like his Keats-and-Kangaroo terra incognita. Alas! poor Shelley! how we would have laughed had he lived! and how we used to laugh now and then at various things which are grave in the suburbs.'

These extracts, as far as mere matters of fact are concerned, we beg leave to present without comment. It will be for Mr. Hunt to offer any explanation he pleases as to the apparent contradictions in the two stories; and we willingly leave the task of estimating the counter-statements in their ultimate shapes, to the accomplished person whose Memoirs of Lord Byron are announced, and anxiously expected by the world. Neither shall we at all enter into Mr. Hunt's *details* about Lord Byron's treatment of himself personally; they are very painful to read; and Mr. Hunt has obviously felt something of the humiliation of putting them on paper. If Lord Byron's bounty was haughtily, coldly, and grudgingly bestowed, it was not likely to impress the mind of the receiver with very genial feelings; and we need not tell Mr. Hunt, since he himself betrays a full sense of the circumstance, that, although gratitude might be out of the question, it was possible to be silent.

One word more, and we have done: Mr. Hunt in his preface says,

'My account of Lord Byron is never coloured with a shadow of untruth: nor have I noticed a great deal that I should have done, had I been in the least vindictive, which is a vice I disclaim. If I knew any two things in the world, and have any two good qualities to set off against many defects, it is, that I am not vindictive, and that I speak the truth. I have not told all, for I had no right to do so. In the present case, also, it would be INHUMANITY both to THE DEAD and to THE LIVING.'—*Preface*, p. v.

Now a question suggests itself to us, which we are sure Mr. Hunt, with the high feelings thus entertained and expressed by him, will thank us for asking. It is well known, that Lord Byron took leave finally of Mr. Leigh Hunt by letter. The letter in question we never saw, but we have conversed with those who read it; and from their account of its contents—they describe it as a document of considerable length, and as containing a full narrative of the whole circumstances under which Lord Byron and Mr. Hunt met and parted, according to his lordship's view of the case—we confess we have been rather surprized to find it altogether omitted in Mr. Leigh Hunt's quarto. Mr. Hunt prints very carefully various letters, in which Lord Byron treats of matters nowise bearing on the differences which occurred between these

these two distinguished contemporaries: and our question is, was it from humanity to the dead, or from humanity to the living, that Mr. Leigh Hunt judged it proper to omit in this work the apparently rather important letter to which we refer? If Mr. Hunt has had the misfortune to mislay the document, and sought in vain for it amongst his collections, he ought, we rather think, to have stated that fact, and stated also, in so far as his memory might serve him, his impression of the character and tendency of this valedictory epistle. But in case he has both lost the document and totally forgotten what it contained, we are happy in having this opportunity of informing him, that a copy of it exists in very safe keeping.

Leaving, then, the merits of this personal quarrel to be settled when all the documents on both sides shall have been produced, we proceed to the only question which the world will consider as at all important, namely, in how far, the existence of 'spleen and resentment' being admitted, we ought to take Mr. Hunt's word as to the character in general of his benefactor. We confess that our author is, of all men that ever had any considerable intercourse with Lord Byron, the one whose testimony on this head we should, *à priori*, have been inclined to receive with the greatest suspicion. Knowing nothing of Mr. Hunt, except from his writings, we should have taken it as the merest matter of course, that when these two men came together the one would amuse himself with *quizzing* and *mystifying* the other in every possible method. The author of *Sardanapalus* and the author of *Rimini*—the author of *Don Juan* and the author of *Foliage*—Quevedo Redivivus and the author of the *Feast of the Poets*—it is impossible to think for a moment of such a juxtaposition, without acquiring the true point of view from which to contemplate an estimate of Lord Byron's character and manners from the pen of Mr. Leigh Hunt. For example:—Mr. Hunt tells his readers that Lord Byron threw him back his Spenser, saying 'he could make nothing of him': but whether are we to believe that the noble lord, sickened (as all Mr. Hunt's readers have been for twenty years past) with Mr. Hunt's endless and meaningless chatter about the half dozen poets, good, bad, and indifferent, whom he patronizes, was willing to annoy Mr. Hunt by the cavalier treatment of one of his principal *protégés*, or that the author of one of the noblest poems that have been written in the Spenserian stanza was both ignorant of the Faëry Queen, and incapable of comprehending anything of its merits? No man who knew anything of Lord Byron can hesitate for a moment about the answer. Lord Byron, we have no sort of doubt, indulged his passion for mystifying, at the expense of this gentleman, to an improper and unjustifiable

extent. His delight was at all times in the study of man. 'Since I remember, (says he in one of his letters,) I have made it my business to trace every feeling, every look, to its root.' What a study must the author of these Memoirs, staring about him at Pisa with his Paddington optics, have presented to this practised dissector! and it seems to us extremely probable that the practitioner used both scalpel and probe with all the coolness of another Majendie. Hence, and hence only, we are persuaded, the egregious nonsense with which Lord Byron appears to have crammed habitually the most uninitiated of listeners. Hence, most assuredly, his sneers at Shakspeare, Milton, and Spenser; and hence, it is not improbable, his applauses of Rimini, and his 'respectful mention of Mr. Keats.'

We believe we could not illustrate our view of the whole of this business more effectually than by simply presenting a few extracts from Lord Byron's private letters in which this Mr. Keats is alluded to. Our readers have probably forgotten all about '*Endymion*, a poem,' and the other works of this young man, the all but universal roar of laughter with which they were received some ten or twelve years ago, and the ridiculous story (which Mr. Hunt denies) of the author's death being caused by the reviewers. Mr. Hunt was the great patron, the 'guide, philosopher, and friend' of Mr. Keats; it was he who first puffed the youth into notice in his newspaper. The youth returned the compliment in sonnets and canzonets, and presented his patron with a lock of Milton's hair, and wrote a poem on the occasion. In the volume now before us, Mr. Keats figures as one of 'the contemporaries of Lord Byron;' and Mr. Hunt tells us, that one of his poems 'was suggested to him by a delightful summer-day, as he stood beside the gate that leads from the Battery on Hampstead Heath' (p. 248); that another 'was occasioned by his sleeping in one of the cottages in the Vale of Health, the first one that fronts the valley, beginning from the same quarter' (*ibid.*); and, above all, that 'it was in the beautiful lane running from the road, between Hampstead and Highgate, that meeting me (*i. e.* Mr. Hunt) one day, he (*i. e.* Mr. Keats) first gave me (*i. e.* Mr. Hunt) the volume (*i. e.* *Endymion*).' In short, next to Mr. Hunt himself, there can be no question that Mr. Keats will be considered by posterity as the greatest poet of these times.

Hear Lord Byron:—

'*Ravenna*, 8th 12, 1820.—Pray send me no more poetry but what is rare, and decidedly good; there is such a trash of Keats and the like upon my tables, that I am ashamed to look at them.'

'*Ravenna*, Nov. 18, 1820.—Of the praises (in the *Edinburgh Review*)

view) of that little Keats, I shall observe, as Johnson did when Sheridan, the actor, got a *pension*—"What! has *he* got a pension? then it is time that I should give up *mine*!" Nobody could be prouder of the praise of the Edinburgh than I was, or more alive to their censure, as I showed in English Bards and Scotch Reviewers. At present ALL the men they have ever praised are degraded by that insane article. Why don't they review and praise "*Solomon's Guide to Health*?" it is better sense, and as much poetry as Johnny Keats.'

'*Ravenna*, 8th 21, 1820.—No more Keats, I entreat, flay him alive; if some of you don't, I must skin him myself. There is no bearing the drivelling idiotism of the maukin.'

We are very sorry that a fragment only of the Review of Mr. Keats, which Lord Byron thus proffered, has been preserved. It is as follows:

"The hearty grasp that sends a pleasant sonnet
Into the brain, ere one can think upon it;
The silence when some rhymes are coming out,
And when they're come, the *very pleasant rout*;
The message certain to be done to-morrow,
'Tis perhaps as well that it should be to borrow
Some precious book from out its snug retreat
To cluster round it when we next shall meet.
Scarce can I scribble on," &c. &c.

'Now what does this mean? Again,

"And with these airs come forms of elegance
Stooping their shoulders o'er a horse's prance."

'Where did these *forms* of elegance learn to ride with *stooping shoulders*? Again,

"Thus I remember all the pleasant flow
Of words at opening a portfolio."

'Again,

"Yet I must not forget
Sleep, quiet, with his poppy coronet:
For what there may be worthy in these rhymes
I partly owe to him," &c.

'This obligation is likely to be mutual.—It may appear harsh (continues Lord Byron) to accumulate passages from the work of a young man in the outset of his career, but, if he will set out with assailing the poet whom, of all others, the young aspirant ought to respect, and honour and study; if he will hold forth in such lines his notions on poetry, and endeavour to recommend them, by terming such men as Pope, Dryden, Swift, Congreve, Addison, Young, Gray, Goldsmith, Johnson, &c. &c., "*a school of dolts*," he must abide by the consequences of his unfortunate distortion of intellect. But, like Milbourne, he is the fairest of critics, by enabling us to compare his own compositions with those of Pope, at the same age, and on a similar subject, viz. poetry. As Mr. Keats does not want imagination or industry, let those who have led him astray look to what they have done.

Surely they must feel no little remorse in having so perverted the taste and feelings of this young man, and will be satisfied with one such victim to the Moloch of their absurdity. Pope little expected that the art of sinking in poetry would become an object of serious study, and supersede, not only his own, but all that Horace, Vida, Boileau, and Aristotle had left to posterity of precept, and the greatest poets of all nations, of example.—*Byron's MSS.*

Our readers have, no doubt, observed one curious circumstance that peeps out in these extracts—the fact, namely, that Lord Byron and Mr. Shelley were in the habit of laughing when they met in private, at things ‘which look grave in the suburbs.’ Among other notices to the same effect, which we might easily introduce from Lord Byron's MSS., we confess we were particularly entertained with a passage in a letter dated Ravenna, July 30th, 1821, from which it appears, that, on the occasion of Mr. Keats's death, Mr. Shelley composed an elegy, in the shape of a parody on the nursery song about Cock Robin, beginning thus with ourselves :—

‘Who killed Jack Keats?
I, says the Quarterly,
So savage and Tartarly,
‘Twas one of my feats,’ &c., &c.

and so running on through the various claimants of the critical crime in a vein of merriment and derision which certainly would have astounded the Paddingtonians.—We beg leave to adopt as well as transcribe Lord Byron's own reflections in verse and in prose on the same event :—

‘Strange that the soul, that very fiery particle,
Should let itself be snuffed out by an article.’

‘I am very sorry for it, though I think he took the wrong line as a poet, and was spoiled by Cockneyfying, and Suburbing, and versifying Tooke's Pantheon and Lempriere's Dictionary.’—*Byron's MSS.*

The truth is, that, on literary subjects of all sorts and descriptions, Lord Byron's opinions were ‘wide as the poles asunder’ from those of Mr. Hunt and his little *coterie*; and it is, we must own, by this radical diversity of feeling as to the matters which Mr. Hunt thought and thinks of the highest moment, that we are inclined to account for, in the main, the tone of bitter spleen in which the surviving Grub-street authorling comments on every part of the character of the great English poet who is no more. Looking to the supreme scorn with which Lord Byron, in his letters, uniformly treats all the dogmas and performances of the class of writers who acknowledged Mr. Hunt as their chief, we are really quite unable to believe that Lord Byron ever dreamt of a journal in which these writers were to be the principal labourers, as a source of ‘large profits’ to himself. He knew that the
world

world had utterly condemned the school of poetry and criticism in question, and he thought the world quite right in this decision. Upon what principle, then, are we to account for his taking any part in their magazine project? We really do not see how it is possible to doubt that he did so purely and entirely from the charitable feelings to which he himself distinctly ascribes his unhappy acquiescence in an impracticable scheme. He thought, no doubt, that his own compositions would be easily distinguished from those of Messrs. Hunt and Co.; and that, therefore, he might benefit these needy people without materially injuring his own reputation. Humble as was his estimate of the talents of all his coadjutors, except Mr. Shelley, he had not foreseen that, instead of his genius floating their dulness, an exactly opposite consequence would attend that unnatural coalition. In spite of some of the ablest pieces that ever came from Lord Byron's pen,—in spite of the magnificent poetry of Heaven and Earth,—the eternal laws of gravitation held their course: Messrs. Hunt, Hazlitt, and Co. furnished the principal part of the cargo; and the 'Liberal' sunk to the bottom of the waters of oblivion almost as rapidly as the *Table-Talk*, or the *Foliage*, or the *Endymion*.

It may be worth while to illustrate a little more copiously what we have said of Lord Byron's critical tenets: by doing so, we certainly think we shall throw much light on the nature of Mr. Leigh Hunt's quarrel with him, and the consequent outrage on his memory, perpetrated in the elaborate volume now before us.

'*Ravenna*, Jan. 4, 1821.—I see by the papers of Galignani, that there is a new tragedy of great expectation, by Barry Cornwall. Of what I have read of his works, I liked the *Dramatic Sketches*, but thought his *Sicilian Story* and *Marcian Colonna*, in rhyme, quite spoiled by I know not what affectation of Wordsworth, and *Hunt*, and Moore, and myself, all mixed up into a kind of chaos. I think him very likely to produce a good tragedy if he keep to a natural style, and not play tricks to form harlequinades for an audience. As he (Barry Cornwall is not his true name) was a schoolfellow of mine, I take more than common interest in his success,' &c., &c.—*Byron's MSS.*

'*Ravenna*, Sept. 12, 1821.—Barry Cornwall will do better by and by, I dare say, if he don't get spoiled by green tea and the praises of Pentonville and Paradise-row. The pity of these men is, that they never lived in *high life* nor in *solitude*; there is no medium for the knowledge of the busy or the still world. If admitted into high life for a season, it is merely as spectators—they form no part of the mechanism thereof. Now, Moore and I, the one by circumstances, the other by birth, happened to be free of the corporation, and to have entered into its pulses and passions, "*quarum partes fuimus.*"—Both of us have learned by this much that nothing else could have taught us.'—*Ibid.*

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The following is from a letter to Lord Byron's bookseller, dated Ravenna, Sept. 24th, 1821:—

'You shall not send me any modern or (as they are called) *new* publications *whatsoever*, save and excepting any writing, prose or verse, of (or reasonably presumed to be of) Walter Scott, Crabbe, Moore, Campbell, Rogers, Gifford, Joanna Baillie, Irving (the American), Hogg, Wilson (Isle of Palms man), or any especial single work of fancy which is thought to be of considerable merit. Voyages and travels, provided they are neither in Greece, Spain, Asia Minor, Albania, nor Italy, will be welcome. No other English works whatsoever.'

The following are incidental notices which we have taken almost at hazard, from the same correspondence:—

'Ravenna, Sept. 11th, 1820.—Oh, if ever I do come amongst you again, I will give you such a Baviad and Mæviad, not as good as the last, but even better merited. There never was such a *set* as your ragamuffins, (I mean not yours only, but everybody's.) What with the Cockneys, and the Lakers, and the *followers* of Scott, and Moore, and Byron, you are on the very uttermost decline and degradation of literature. I can't think of it without all the remorse of a murderer. I wish Johnson were alive again to crush them.' . . .

'Sept. 15th, 1817.—I have read Lallah Rookh, but not with sufficient attention yet. . . . I am very glad to hear of its popularity; for Moore is a very noble fellow in all respects, and will enjoy it without any of the bad feelings which success, good or evil, sometimes engenders in the men of rhyme. Of the poem itself, I will tell you my opinion when I have mastered it: I say of the *poem*, for I don't like the prose at all at all; and in the meantime, the "Fire-worshippers" is the best, and the "Veiled Prophet" the worst of the volume.

'With regard to poetry in general, I am convinced, the more I think of it, that *he* and all others—Scott, Southey, Wordsworth, Moore, Campbell, I, are all in the wrong, one as much as another; that we are upon a wrong, revolutionary, poetical system (or systems), not worth a d—n in itself, and from which none but Rogers and Crabbe are free, and that the present and next generation will finally be of this opinion. I am the more confirmed in this, by having lately gone over some of our classics, particularly Pope, whom I tried in this way: I took Moore's poems, and my own, and some others, and went over them side by side with Pope's, and I was really astonished (I ought not to have been so) and mortified at the ineffable distance, in point of sense, learning, effect, and even *imagination, passion, and invention*, between the little Queen Anne's man, and us of the lower empire. Depend upon it, it is all Horace then, and Claudian now, among us; and if I had to begin again, I would mould myself accordingly. Crabbe's the man, but he has got a coarse and impracticable subject; and Rogers, the grandfather of living poetry, is retired upon half-pay, since pretty Miss Jacqueline, with her nose aquiline, and has done enough, unless he were to do as he had done formerly.'

Non

Non noster hic sermo—such were the opinions of Lord Byron on English literature, perhaps the only subject on which it was essential that he should have agreed with Mr. Leigh Hunt before he entered on the joint speculation of a literary journal with that gentleman—with Mr. Leigh Hunt, author of *Rimini*, who, throughout all his works, treats the great names of our time with contempt,—who, even in this quarto, talks of Lord Byron himself as a mere imitator in poetry,—and who considers Mr. Leigh Hunt, Mr. John Keats, and so forth, as the only true and permanent lights of the age. Such were their literary differences; and we venture to add that the points of discrepancy between the two men, as to literature, were less numerous and of less importance than in regard to almost any other subject whatever—except only (and with sorrow do we mark the exception) the highest subject of all, namely, religion.

As to politics, the haughty heir of all the Byrons, and the Jupiter Tonans of the round window in the Examiner office had not, and never could have had, anything in common beyond a few words, to which the man of genius and the paragraph-monger attached totally opposite meanings. Even as to the more solemn subject of religion, we ought to take shame to ourselves for even for a moment considering Lord Byron and Mr. Leigh Hunt as *brother* infidels. The dark doubts which disturbed to its depths the noble intellect of the one had little, indeed, in common with the coxcombical phantasies which floated and float on the surface of the other's shallowness. Humility,—a most absurd delusion of humility, be it allowed, made the one majestic creature unhappy: the most ludicrous conceit, grafted on the most deplorable incapacity, has filled the paltry mind of the gentleman-of-the-press now before us, with a chaos of crude, pert dogmas, which defy all analysis, and which it is just possible to pity more than despise.

'I am no bigot to infidelity,' said Byron in a letter to the late Mr. Gifford, 'and did not expect that, because I doubted the immortality of man, I should be charged with denying the existence of a God. It was the comparative insignificance of ourselves and *our* world, when placed in comparison with the mighty whole, of which it is an atom, that first led me to imagine that our pretensions to immortality might be overrated.'

Let us hear his lordship's contemporary.

'He (Lord Byron) was a Christian by education; he was an infidel by reading. He was a Christian by habit; he was no Christian upon reflection. I use the word here in its *ordinary* acceptation, and not in its *really Christian and philosophical* sense, as a believer in The Endeavour and The Universality, which are the consummation of Christianity. . . . Bigoted christians, of all sects, take liberties enough, God knows!

They

They are much profaner than any devout deist ever thinks of being.'—*Hunt*, p. 128.

Such is uniformly the tone of this would-be 'devout Deist,' this most profound Universalist.

'Ye men of deep researches, say whence springs
This daring character in timorous things?
Who start at feathers, from an insect fly—
A match for nothing—but the Deity!'

Between the hypochondriac reveries of a poet, and the smug petulancies of this cockney, there is, we take it, about as wide an interval as from the voluptuousness of a Sardanapalus to the geniality of a monkey; an illustration which we also beg leave to apply (where, indeed, it is all but literally in point) to the feelings of these two persons, on certain moral questions, to which we wish it had been possible for us to make no allusions.

We shall touch as briefly as possible on this disgusting topic. It is a miserable truth, that at the time when Mr. Leigh Hunt went to eat, drink, and sleep at Lord Byron's cost, and under Lord Byron's roof at Pisa, Lord Byron entertained an Italian gentleman's wife, as his mistress, under that roof. Let us hear what his contemporary has to say as to his own conduct in carrying his own wife to partake, under that same roof, of Lord Byron's bounty.

'I was not prepared to find the father and brother (of Lord Byron's mistress) living in the same house; but taking the national manners into consideration, and differing very considerably with the notions entertained respecting the intercourse of the sexes in more countries than one, I was prepared to treat with respect what I conceived to be founded in serious feelings, and saw even in that arrangement something which, though it startled my English habits *at first*, seemed to be a *still further* warrant of *innocence* of intention, and *exception to general rules*.'—*Hunt*, p. 22.

'He (Lord Byron) had been told, what was very true, that Mrs. Hunt, though living in all respects after the fashion of an English wife, was any thing but illiberal with regard to others.'—*Ibid.* p. 26.

This is enough: we shall be more merciful to this unfortunate lady, than her auto-biographical husband has been.

We should, indeed, have reason to blush, could we think for a moment of entering into the details given by Mr. Leigh Hunt, concerning the manners, habits, and conversation of Lord Byron. The witness is, in our opinion, disqualified to give evidence upon any such subjects; his book proves him to be equally ignorant of what manners are, and incompetent to judge what manners ought to be: his elaborate portraiture of his own habits is from beginning to end a very caricatura of absurdity; and the man who wrote this book, studiously cast, as the whole language of it is,
in

in a free-and-easy, conversational tone, has no more right to decide about the conversation of such a man as Lord Byron, than has a pert apprentice to pronounce *ex cathedra*—from his one shilling gallery, to wit—on the dialogue of a polite comedy. We can easily believe, that Lord Byron never talked his best when this was his *Companion*. We can also believe that Lord Byron's serious conversation, even in its lowest tone, was often unintelligible to Mr. Leigh Hunt. We are morally certain, that in such company Lord Byron talked, very often indeed, for the mere purpose of amusing himself at the expense of his ignorant, phantastic, lack-a-daisical guest; that he considered the Magnus Apollo of Paradise Row as a precious butt, and acted accordingly. We therefore consider Mr. Hunt's evidence as absolutely inadmissible, on strong *preliminary* grounds. But what are we to say to it, when we find it, as we do, totally and diametrically at variance both with the substance and complexion of Lord Byron's epistolary correspondence; and with the oral testimonies of men whose talents, originally superior beyond all possibility of measurement to Mr. Hunt's, have been matured and perfected by study, both of books and men, such as Mr. Hunt never even dreamed of; who had the advantage of meeting Lord Byron on terms of perfect equality to all intents and purposes; and who, qualified as they probably were, above any of their contemporaries, to appreciate Lord Byron, whether as a poet, or as a man of high rank and pre-eminent fame, mingling with the world in society such as he ought never to have sunk below, all with one voice pronounce an opinion exactly and in every particular, as well as looking to things broadly and to the general effect, the reverse of that which this unworthy and ungrateful dependent has thought himself justified in promulgating, on the plea of a penury which no Lord Byron survives to relieve. It is too bad, that he who has, in his own personal conduct, as well as in his writings, so much to answer for—who abused great opportunities and great talents so lamentably—who sinned so deeply, both against the society to which he belonged and the literature in which his name will ever hold a splendid place—it is really too bad, that Lord Byron, in addition to the grave condemnation of men able to appreciate both his merits and his demerits, and well disposed to think more in sorrow than in anger of the worst errors that existed along with so much that was excellent and noble—it is by much too bad, that this great man's glorious though melancholy memory

‘ Must also bear the vile attacks

Of ragged curs and vulgar hacks’

whom he fed;—that his bones must be scraped up from their bed of repose to be at once grinned and howled over by creatures
who,

who, even in the least hyena-like of their moods, can touch nothing that mankind would wish to respect without polluting it.

We are of opinion that we shall present our readers with the best possible review of Mr. Leigh Hunt's *Reminiscences of Lord Byron*, by transcribing a few stanzas which appeared in the *Times* newspaper immediately on the publication of this quarto, and which have been universally attributed to one of the very few persons introduced in Mr. Hunt's book, whom it is possible to hear mentioned among 'Lord Byron's contemporaries' without laughing:—

'Next week will be published (as "Lives" are the rage)

The whole *Reminiscences*, wondrous and strange,

Of a small puppy-dog, that lived once in the cage

Of the late noble lion at Exeter 'Change.

'Though the dog is a dog of the kind they call "sad,"

'Tis a puppy that much to good breeding pretends ;

And few dogs have such opportunities had

Of knowing how lions behave—among friends.

'How that animal eats, how he moves, how he drinks,

Is all noted down by this Boswell so small ;

And 'tis plain, from each sentence, the puppy-dog thinks

That the lion was no such great things after all.

'Though he roared pretty well—this the puppy allows—

It was all, he says, borrowed—all second-hand roar ;

And he vastly prefers his own little bow-wows

To the loftiest war-note the lion could pour.

'Tis, indeed, as good fun as a *Cynic* could ask,

To see how this cockney-bred setter of rabbits

Takes gravely the lord of the forest to task,

And judges of lions by puppy-dog habits.

'Nay, fed as he was (and this makes it a dark case)

With sops every day from the lion's own pan,

He lifts up his leg at the noble beast's carcass,

And—does all a dog, so diminutive, can.

'However, the book's a good book, being rich in

Examples and warnings to lions high-bred,

How they suffer small mongrelly curs in their kitchen,

Who'll feed on them living, and foul them when dead.

'Exeter 'Change.

T. PIDCOCK.'

So much for Mr. Leigh Hunt *versus* Lord Byron: the other contemporaries that figure in this volume are, with two or three exceptions, persons whose insignificance equals that of the author himself; and as they have had no hand, that we know of, in this absurd exposure of themselves, we should be sorry either to waste our time or to wound their feelings by any remarks on Mr. Hunt's delineations of them. Mr. Shelley's portrait appears to be the

most

most elaborate of these minor efforts of Mr. Hunt's pencil. Why does Mr. Hunt conceal (if he be aware of the fact) that this unfortunate man of genius was bitterly sensible ere he died of the madness and profligacy of the early career which drew upon his head so much indignation, reproach, and contumely—that he confessed *with tears* 'that he well knew he had been all in the wrong'? And, by the way, why did Mr. Hunt inflict on Mr. Horatio Smith so great an injury as to say, after describing his acts of generous friendship to the unfortunate Mr. Shelley, that he (Mr. Smith) differed with Mr. Shelley 'on some points,' without stating distinctly what those points were—namely, every point, whether of religious belief or of moral opinion, on which Mr. Shelley differed, at the time of his acquaintance with Mr. Smith, from all the respectable part of the English community? We are happy to have this opportunity of doing justice, on competent authority, to a person whom, judging merely from the gentleman-like and moral tone of all his writings, we certainly should never have expected to meet with in the sort of company with which this, no doubt, unwelcome eulogist has thought fit to associate his name.

Mr. Hunt received from the hand of nature talents which, if properly cultivated and employed, might have raised him to distinction; and, we really believe, feelings calculated to procure him a kind reception from the world. His vanity, a vanity to which it is needless to look for any parallel even among the vain race of rhymers, has destroyed all. Under the influence of that disease—for it deserves no other name—he has set himself up as the standard in every thing. While yet a stripling, most imperfectly educated, and lamentably ignorant of men as they are, and have been, he dared to set his own crude fancies in direct opposition to all that is received among sane men, either as to the moral government of the world, or the political government of this nation, or the purposes and conduct of literary enterprise. This was 'the Moloch of absurdity' of which Lord Byron has spoken so justly. The consequences—we believe we may safely say the last consequences—of all this rash and wicked nonsense are now before us. The last wriggle of expiring imbecility appears in these days to be a volume of personal Reminiscences; and we have now heard the feeble death-rattle of the once loud-tongued as well as brazen-faced Examiner.

We hope and trust the public reception of this filthy gossip will be such as to discourage any more of these base assaults upon Lord Byron's memory. 'Some of the epitaphs at Ferrara—(said he, in one of those many letters which breathed an ominous pre-sentiment of early death)—some of the epitaphs at Ferrara pleased
me

me more than the splendid monuments of Bologna; for instance; *Martini Lerigi implora pace; Lucrezia Picini implora eterna quiete*. Can any thing be more full of pathos? These few words say all that can be said or sought. The dead had had enough of life; all they wanted was rest, and this they *implore*. Here is all the helplessness, and humble hope, and death-like prayer that can arise from the grave. *IMPLORA PACE!* I hope whoever may survive me will see these two words, and no more, put over me.'—It is possible that Mr. Leigh Hunt will read these words without a blush; but to what other ear will the *IMPLORA PACE* of Lord Byron be addressed in vain?

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- ART. V.—1. *Corn Trade, Wages, and Rent*. By Edward Cayley, Esq. London. 1826.
 2. *Observations on the Corn Laws. Addressed to W. W. Whitmore, Esq., M.P.* London. 1827.

WE beg our readers will not take alarm and imagine that we are about to argue this eternal question as a mere dispute about profit, carried on between the agricultural and manufacturing classes. Admitting, for the sake of discussion, that certain classes in this country would derive profit from a free trade in corn; that a greater number of manufacturers would be employed, clothed, and fed, if the ports were open to the free admission of foreign grain, still we conceive that this advantage, whatever might be its amount, would be infinitely counterbalanced by the impolicy and danger of making this island the seat of numberless establishments, where foreigners may bring their surplus corn to be consumed in fabricating the manufactured articles which they require. Let us imagine that the opening of our ports to the foreign grower might end in bringing into this country a permanent annual supply of 10,000,000 of quarters of corn; this would ultimately bring about an increase of our manufacturing population to the amount, we will say, of 3,000,000 workmen, employed in fabricating commodities to be exported in exchange for this corn. We should thus have, within the limits of this country, 3,000,000 manufacturers entirely dependent upon foreign countries for employment and subsistence. This necessary supply of foreign corn might be partially, or even totally, cut off by natural causes—by deficient crops or bad harvests—or by political estrangement and foreign caprice. That such interruption of the usual supply of corn would excite serious disturbances among the manufacturers thrown out of work, no one, who has attended to the domestic history of these realms for the last thirty years, can doubt.

doubt. Such an event would inevitably compromise the tranquillity of the country; nor do we conceive that any amount of profit would constitute an adequate compensation for the risk, to which such a state of things would expose the community.

But we must go deeper still. The increase of our manufacturing system has, unquestionably, effected already a considerable revolution in the morals and habits which had previously characterised the bulk of the inhabitants of this country; the confined and crowded state of manufactories has a decided tendency to shorten the average duration of human life, and to corrupt the feelings of the workmen employed in them. We, therefore, doubt whether any augmentation of profit to be expected from a great additional extension of our manufacturing system would, in the eye of an intelligent and humane legislator, compensate for the moral and social evils unavoidably connected with it.

Those who maintain the expediency of encouraging the importation of foreign corn on a great scale, would have us believe, that this supply could never be cut off, as it must *always* be the interest of other nations to furnish it. But without adverting to those directly hostile movements which interrupt the commercial relations subsisting between two nations, other circumstances, of a less violent character, may deprive us of this supply. A deficient crop, or a bad harvest, is a calamity against which no foresight can guard: this would cause prices to rise very rapidly on the continent, and the clamours of the common people would speedily compel the continental governments to prohibit the exportation of corn. France has already organized a system of laws prohibiting the exportation of corn, when the market price of wheat amounts to about 49s. per quarter. It is not to be expected that any government will permit corn to be exported, when the market price indicates that the produce of the year is barely sufficient to supply the wants of the native population.

Another cause of more extensive operation would gradually diminish, and in the end cut off entirely the supplies which, under a free trade in corn, would be sent to the English market. We will suppose that Prussia should send into this country corn sufficient to maintain 20,000 workmen employed in manufactures; and that the Prussian government should eventually succeed in establishing manufactories at home, wherein this corn would be consumed in fabricating the wrought commodities which the Prussian people now obtain from abroad. The 20,000 workmen employed here to supply the manufactured goods required by Prussia, would then be thrown out of work, and cast upon the community in a state of destitution. This is an interruption of the foreign supply of corn, which does not in the least depend upon

upon contingencies arising from the caprice or ill-will of foreign governments: it is one which must inevitably spring from the gradual progress of society, and cannot be prevented by any foresight on our part: sooner or later, it must come. England cannot expect to continue, what for nearly a century she has been, a workshop, in which a great proportion of the surplus produce of the whole world has been converted into a manufactured state. As other nations which we have been hitherto accustomed to supply with manufactures advance in wealth and industry, they will unquestionably endeavour (as they ought to do) to fabricate at home the wrought commodities which they have been in the habit of exporting hence in exchange for the raw produce transmitted hither.

We may, in imagination, conceive this country to have become, under a system of free trade in corn, the general workshop of Europe—we may conceive our fields to be turned into manufactories and cabbage-gardens; growing no corn, but applied, from John o’Groat’s to the Land’s-end, to the production of beef, milk, and vegetables; the whole of our bread corn imported from foreign countries; and our population more than doubled; and while foreign nations should continue to take our manufactures in exchange for the corn sent hither, we may further conceive this country as enjoying a high state of prosperity. But this state of things could not endure—other nations would, sooner or later, turn manufacturers, and consume their corn at home; and the people in this country who depended upon this foreign trade, would, sooner or later, be thrown out of work, and reduced to a state of starvation. This is the species of retrogradation which proves most fatal to the happiness of communities. The distress thus occasioned is not confined to the particular class deprived primarily of employment; an excess of labour above the demand for it is thrown into the market at large, and the condition of the whole of the labouring classes is, in the issue, deteriorated.

This is the true reason of the declension of Venice, Pisa, Florence, and the Hanseatic Towns, in wealth and population. These *were* the workshops into which the surplus corn of Europe was poured to be consumed in manufactories. By degrees, the nations which sent their raw produce to these places, in exchange for wrought goods, began to manufacture for themselves; in other words, to consume at home the surplus produce which they had been accustomed to export. The wealth of these commercial communities not resting, to any large extent, upon independent resources found within their own territories, when their foreign supplies were cut off, their prosperity began to decay, and in the end entirely vanished. The history of
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the Netherlands presents also a striking illustration of the fate which must finally overtake every country which, even under the most favourable circumstances, habitually submits to depend upon a foreign supply for the subsistence of any large portion of its population. The whole quantity of corn exported from Great Britain alone between 1697 and 1771, inclusive, amounted to about thirty-four millions of quarters, being an average of exports amounting to about 450,000 quarters annually. Most of this corn was sent to the Netherlands, in exchange for wrought commodities. While this species of commerce continued, the Low Countries flourished greatly; an immense manufacturing population was created, depending for food upon the corn obtained from England and other countries. About the middle of the last century, however, the manufactures of this island took a start; and from a corn-exporting we became a corn-importing people. We consumed in domestic manufactories the corn which we had been in the habit of sending away to be converted into broad-cloth and linen, in the Low Countries; and other nations sent their corn to be turned into wrought goods, not in the Low Countries, but here. The distress into which this change of their commercial relations plunged the inhabitants of the Netherlands was terrible. Multitudes of the manufacturing population were, year after year, deprived of employment. Many of them, relinquishing the hearths of their fathers, emigrated into England and other foreign countries; and more became the victims of want and starvation at home. The dreadful scenes of misery and distress which the Low Countries presented at this crisis will not be lost upon those whose passions or interest do not render them blind to the instruction to be derived from history and experience. If we be wise, we shall take warning from the misfortunes of others. The Flemings of the eighteenth century will not have suffered in vain, if their fate should have the effect of deterring the legislature of this country from falling into the error which proved fatal to that industrious people, while pursuing, with impolitic and ill-regulated eagerness, the acquisition of uncertain and instable gain.

Nothing, indeed, seems to us to form a more singular feature of the clamour recently excited against the Corn-laws, than the blind zeal with which the manufacturing workmen have joined in the cry. It is alleged that the repeal of the Corn-laws would reduce the price of bread; and it is on this ground that the poor weavers have been prevailed upon to bellow for their abolition. But granting that this effect should result from the repeal of these laws, how would that benefit the labouring mechanic? Does he not know that it is a law of political economy, as unchangeable as any even of nature's laws, that the wages of labour must, upon an
average

average of years, bear an exact proportion to the market-price of corn? We will suppose that, for the last seven years, the average price of corn amounted to 60*s.* per quarter, and the average earnings of a manufacturing labourer, during the same period, to 20*s.* per week: the weekly earnings of the labourer would thus purchase the third part of a quarter of corn. Let us now assume, that the most sanguine expectations of those who advocate the total repeal of the Corn-laws should be more than realized; and that the price of wheat should, on an average of the next seven years, be reduced from 60*s.* to 30*s.* per quarter: the labouring mechanic should not be suffered to remain in ignorance of the inevitable consequence—viz., that his wages would sustain a corresponding reduction, from 20*s.* to 10*s.* per week. That his average wages would fall in exact proportion to the average fall in the price of the necessaries of life, is a proposition as true as an axiom in mathematics: it is a consequence of the fall of prices, against which he can contend with no more success than he could resist the ebb or the flow of the tide.*

The cry of 'cheap bread' has imposed upon the understanding of our labourers. An extensive permanent importation of foreign corn would drive a greater number of our population into cotton-factories: it would subject a greater mass of them to the baneful influence which, in crowded manufacturing districts, affects their health and morals; but it would not secure to each individual more or better food than he can command at present. If, however, any political or natural contingency should cut off the foreign supply, upon which the population had become dependent, the unemployed and destitute workmen would be involved in all the wretchedness of starvation and want. It is, indeed, the darkest blot of a manufacturing system, which depends for its permanence upon a foreign supply of food, that its prosperity is almost as

* In order to show that this is not a mere theory unsupported by facts, we shall extract from a very sensible and practical pamphlet before us, the following table of weekly wages paid in a particular district, to agricultural labourers, for the greater part of the last thirty-five years, together with the annual average of the price of wheat, and the quantity of it that their weekly wages enabled them to buy:—

Years.	Week's Wages in Money.	Week's Wages in Wheat.	Price of Wheat.	Years.	Week's Wages in Money.	Week's Wages in Wheat.	Price of Wheat.
1790	10 <i>s.</i>	6½ Pecks	48 <i>s.</i>	1818	18 <i>s.</i>	6½ Pecks	83 <i>s.</i>
1795	16 <i>s.</i>	7½ ...	71 <i>s.</i>	1819	16 <i>s.</i>	7 ...	72 <i>s.</i>
1800	21 <i>s.</i>	6½ ...	105 <i>s.</i>	1820	14 <i>s.</i>	6½ ...	65 <i>s.</i>
1805	18 <i>s.</i>	6½ ...	87 <i>s.</i>	1821	8 <i>s.</i> to 12 <i>s.</i>	5 to 7½	54 <i>s.</i>
1810	21 <i>s.</i>	6½ ...	105 <i>s.</i>	1822	7 <i>s.</i> 6 <i>d.</i> to 10 <i>s.</i>	5½ to 7½	43 <i>s.</i>
1815	15 <i>s.</i>	7½ ...	64 <i>s.</i>	1823	8 <i>s.</i> to 11 <i>s.</i>	5 to 6½	51 <i>s.</i>
1816	16 <i>s.</i>	6½ ...	75 <i>s.</i>	1824	12 <i>s.</i>	6½ ...	62 <i>s.</i>
1817	19 <i>s.</i>	6½ ...	94 <i>s.</i>	1825	14 <i>s.</i>	6½ ...	66 <i>s.</i>

This table is given by Mr. Cayley, upon the authority of Mr. Robert Merry, a very intelligent practical farmer and landowner of Lockton, near Pickering.

fatal

fatal to the workmen employed as its decay. While the usual supply continues to arrive, they are stewed in manufactories; when this supply is interrupted, or fails, they are starved in work-houses. The profit of an extension of this system would be entirely reaped by their employers, while the degradation and misery, inseparably connected with it, must fall exclusively to their lot.*

By way of reconciling the agricultural classes themselves to the projected alterations in the Corn-laws, it is contended, that a steady price is much more beneficial to the grower than a high price; and that a free trade in corn would be the means of preventing those fluctuations in the price of it which are found so detrimental to the interest of the farmer. It is asserted that these fluctuations recur less frequently in proportion to the extent of territory over which a free trade in corn is permitted;—that when the crop proves deficient in one district, by an invariable law of nature it is found abundant in others; that a short crop in England, for instance, is uniformly counterbalanced by a superabundant harvest in some other country; in a word, that whatever may be the character of the seasons, there is little or no variation in the amount of produce throughout the whole of Europe. This is a very pretty theory; but we are sorry to say it is one which has no foundation in fact. In his valuable work upon high and low prices, Mr. Tooke has set this part of the question completely at rest. This accurate and acute writer states it to be the result of his examination—

‘That seasons of a particular character for productiveness or unproductiveness are liable to occur in very different proportions in equal series of years at different intervals: as, for instance, in one interval,

* Speak not to me of swarms the scene sustains;
 One heart free tasting Nature's breath and bloom
 Is worth a thousand slaves to Mammon's gains.
 But whither goes that wealth, and gladd'ning whom?
 See, left but life enough and breathing room
 The hunger and the hope of life to feel,
 Yon pale Mechanic bending o'er his loom,
 And Childhood's self as at Ixion's wheel,
 From morn till midnight task'd to earn its little meal.
 Is this Improvement?—where the human breed
 Degenerates as they swarm and overflow,
 Till Toil grows cheaper than the trodden weed,
 And man competes with man, like foe with foe,
 Till Death that thins them, scarce seems public woe?
 Improvement!—smiles it in the poor man's eyes,
 Or blooms it on the cheek of Labour?—No—
 To gorge a few with Trade's precarious prize,
 We banish rural life, and breathe unwholesome skies.'

These verses are from Mr. Campbell's beautiful poem on revisiting the Clyde, in the *New Monthly Magazine* for February, 1828.

viz., from 1693 to 1714, both years included, making twenty-two years, there were twelve seasons more or less unfavourable, or of deficient produce; and in another interval, from 1730 to 1751, making likewise twenty-two years, there was only one season, which, from historical record, or by inference from fluctuation of price, can be considered to have been decidedly unproductive.

‘That seasons of nearly a similar description frequently prevailed during the same periods in France, and in some other parts of Europe.

‘That the dearness of corn in the period of twenty-two years ending in 1714, and the comparative cheapness in the twenty-two years ending in 1751, in France, as well as in this country, while the value of money, in other respects, seems to have been falling, cannot be accounted for satisfactorily, except by the fact, of the occurrence of unfavourable seasons in such different proportions in the two periods.

‘That in the twenty years from 1793 to 1812, both years included, there were no fewer than eleven years of greater or less deficiency of produce arising from the seasons, with a considerable proportion of long and severe winters.

‘That in the interval from 1813 to 1821, both years included, there was only one decidedly bad season—viz., 1816, and only one very severe winter—viz., 1813-1814, while there were three harvests of acknowledged great and general abundance—1813, 1815, and 1820.

‘That in the first ten years of the period under examination—viz., from 1793 to 1802, both included—the proportion of seasons of scarcity was as great on the continent of Europe as in this country; and that, therefore, although the expenses of conveyance were not more than 5s. per quarter on wheat higher than in peace, no adequate supply could be obtained by importation, except at a great advance in price.

‘That in the nine years ending in 1821, the harvests on the continent of Europe were still more abundant than in this country; so that when, by the single bad season of 1816, our ports were opened, and partly by erroneous estimate of the produce of our own crops, and partly by miscalculation of the effects of the Corn Bill, they were kept open for the two following years, an importation of extraordinary magnitude took place; and that this great importation, added to three crops of full average, and one of superabundant produce, made a surplus or stock on hand at the commencement of the harvest of 1821, exceeding, as far as evidence can be procured, or conjecture made, the reserve at any harvest during the last thirty years.’—*Tooke on High and Low Prices*, pp. 322, 323.*

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* Mr. Lowe fully corroborates Mr. Tooke's views on this subject:—‘The public, (says he,) particularly the untravelling part of the public, are hardly aware of the similarity of temperature prevailing throughout what may be called the corn-country of Europe—we mean Great Britain, Ireland, the north of France, the Netherlands, Denmark, the north-west of Germany, and, in some measure, Poland, and the north-east of Germany. All this tract is situated between the 45th and 55th degrees of latitude, and subject, in

It thus appears, that, in nine instances out of ten, the character of the seasons is, throughout the greater part of Europe, very nearly uniform; and we take it to be the inevitable consequence that the habitual importation of foreign corn, instead of tending to render prices steady in the importing country, would inevitably increase the extremes of the scale on which prices now range and vary. And to prove this fact, we refer, with the fullest confidence that they will amply bear us out, to the records of the Lombard and Flemish towns, which at the time of their manufacturing prosperity were dependent principally upon foreign countries for subsistence. The fluctuations of prices in these towns were, at all times, infinitely greater than they ever were in corn-exporting countries; and in years of scarcity their prices never failed to reach an all but *incredible* maximum.

We are, therefore, fully persuaded, that the best system of corn-laws, as it may affect the general and permanent interests of the country, is that which amounts either to an actual or virtual exclusion of foreign produce, until that which is of home growth has reached an immoderate price. It will be urged, that if we habitually and permanently close our ports against foreign corn, except in times of scarcity, foreigners will contract their tillage, and will not grow more than will supply their own necessities; and that, therefore, when a year of scarcity actually should occur, this country could not look abroad for the means of supplying the home deficiency. We consider this argument as a mere fallacy. Let us suppose Poland, on the average, to produce twenty millions of quarters of wheat; fifteen millions for home consumption, and five millions for exportation to this country. It is manifest that the tillage of Poland would be limited—not, it is true to the growth of the fifteen millions required for its own population—but to the

a considerable degree, to the prevalence of similar winds. Neither the superabundance of rain, which we experience in one summer, nor its deficiency in another, are by any means confined to Great Britain and Ireland; while, in winter, both the intensity and duration of frost are always greater on the continent. Exceptions certainly exist in particular tracts; but in support of our general argument, we have merely to recall to those of our readers who are of an age to recollect the early part of the war, or who have attended to registers of temperature, the more remarkable of the present age. Thus, in 1794, the spring was prematurely warm on the continent, as in England; there as with us, the summer of 1798 was dry, and that of 1799 wet: again, in 1811, the harvest was deficient throughout the north-west of Europe, generally from one and the same cause—blight: while that of 1816 was still more generally deficient, from rain and want of warmth. In regard to a more remote period, we mean the seventeenth and eighteenth centuries, generally, if the temperature has not been so accurately noted, we find, from the coincidence in prices, that it is highly probable that there prevailed a great similarity in the weather of the continent. Thus, in France, the latter years of the seventeenth century, the season of 1708 and 1709, as well as several of the seasons between 1764 and 1773, were as unpropitious, and attended with as great an advance of price as in England.—*Present State of England*, 2nd edit. p. 152.

growth of this quantity, in conjunction with the five millions sent hither. If the corn grown in England should fall short of an average quantity, there would be nothing in the circumstance that Poland habitually supplied us with five millions of quarters to induce Poland to grow an additional quantity for an unforeseen contingency, and provide a supply for our deficiency. It is only when foreign countries have a surplus of corn above the amount of the average demand in their markets, both for home consumption and exportation to foreign countries, and we experience a deficiency in the home produce, that any real advantage can be reaped from a free trade in corn. Should this trade be rendered perfectly free and unfettered, foreigners would only provide for the usual and average demand; and would not keep a stock on hand to provide for any extra demand, contingent upon an event of uncertain and merely possible occurrence—a deficiency of produce in other countries.

No political experiments can be more hazardous than those which endanger the continuance or check the progress of that system of husbandry which constitutes the very foundation and main stay of our national prosperity. Any legislative measure which, in its consequences, might throw land out of cultivation, or cause less capital to be laid out, less industry to be exerted, on that which is now in a state of tillage, would unavoidably affect our manufacturing and commercial prosperity. The occupier of land, relaxing his exertions, would have less surplus produce to dispose of—less to expend in the employment of artisans and mechanics. The opinion, avowed by some of our contemporaries, that the loss sustained by the occupier of land would prove a gain to the other classes of consumers, or that manufactures can thrive while agriculture decays, is one of the most unaccountable delusions that ever succeeded in imposing upon any considerable portion of the inhabitants of this country. By the decay of agriculture we do not, of course, mean merely a fall in the money-price of agricultural produce, but a diminution in the quantity derived from the land. An alteration in the value of the precious metals may produce a variation in the price of corn, as well as of other commodities, without affecting in the smallest degree the real prosperity of a nation; but if any circumstances should cause less corn to be grown, less beef and mutton to be fed within the limits of any country, the wealth of that country must be diminished, and its prosperity sustain a check; it will possess less food for the support of its inhabitants, who must in consequence look for their sustenance to foreign countries, or emigrate from their native land.

We are gravely assured by an author of considerable talents, who has written a volume upon the subject, that

‘prohibitory duties on the importation of foreign corn would almost annihilate our manufactures and commerce; while a free trade in this important article would afford them all the encouragement of which they are susceptible.’—*Torrens on the Corn Trade*, p. 379.

Now it is known and admitted that the average quantity of corn imported into this country while the ports were open, never exceeded 600,000 quarters; and it has been computed that the annual consumption of grain in this country amounts to about 40,000,000 quarters. In the teeth of these data, Colonel Torrens contends, that, the exclusion of the 600,000 quarters of foreign corn, constituting about one-eightieth part of our annual consumption, *will almost annihilate our manufactures and commerce*; or, in other words, he maintains, that because we refuse to permit the foreign owners of 600,000 quarters of corn to bring their produce into this country, to be consumed in fabricating wrought commodities for their use, the owners of 39,500,000 quarters of corn grown in this country will cease to expend it in producing the various manufactured articles of which they stand in need.—Can Colonel Torrens seriously believe, that the exclusion of foreign corn, bearing a proportion of ONE to SEVENTY-NINE, when compared with the quantity produced in this country, ‘*would almost annihilate our manufactures and commerce?*’

Alterations in the internal economy of nations, involving extensive and complicated interests, are always attended with difficulty, and generally with danger: however beneficial they may in the end prove to the community at large, they can scarcely fail to inflict an injury, probably irreparable, upon the individuals more immediately affected by them. Such experiments should, therefore, be made with the greatest caution, and require a paramount and overwhelming necessity to justify them. Latterly, however, a species of spurious philosophy has gained ground among the members of a particular school of political economy, which justifies the promotion of the advantage of one class of the community at the expense of another; which justifies the crushing of an individual, or a body of individuals, provided some plausible theory can be advanced to show, that from his ruin an advantage will result to the rest of the community. They admit, for instance, that a free trade in corn would, at least for a time, prove injurious to the owners and occupiers of land in this country; that it would in all cases cause a considerable loss, and in many instances occasion an absolute sacrifice of the capital vested in the soil by the cultivator. But, on the principles by which they profess to be guided, they
contend

contend that such a measure is justifiable, because it will produce an advantage to the rest of the community. Granting, for a moment, that the view which they take of the subject should turn out to be correct; that the loss, which they are prepared to inflict upon the agriculturists, should prove a gain to the other classes of society,—we beg to ask them, is it just, is it moral, to deprive one man of his property, in order to confer it upon another? Shall it be said of any English statesmen as Cato said of some of his contemporaries—*Liberalitas hoc demum appellatur aliena bona largiri*?

We are not aware that the trading or manufacturing capitalist can put forward any equitable plea for the advantage which he claims to reap, at the expense of the agriculturist. The manufacturer and the agriculturist laid out their respective capitals—the one in cotton mills and machinery, the other in corn fields and cows—upon the faith of our present laws, and in the confidence that the system regulating the importation of foreign corn should be (in the main, at least) upheld: upon what principle, therefore, does the manufacturer turn round upon the agriculturist to demand the abandonment of a system, which he contends will increase the profits of his own capital exactly in the proportion in which, by his own acknowledgment, it will diminish the returns accruing upon that of the farmer? A principle so unjust, so selfish, so rapacious will never, we feel confident, obtain the sanction of the legislature. A body of senators, imbued with correct moral feelings, and anxious to do justice to all, will never consent to become the instruments of plundering one class of their constituents in order to enrich another. Within the last ten years, the classes connected with agriculture have sustained losses which, if stated, would appear incredible to those who are not intimately acquainted with the details of this subject. We have had pretty extensive opportunities of personal observation;—and we venture to express our unqualified conviction that, *within the period above specified, one-fourth of the occupiers of land in this country have been completely ruined, whilst the remainder have lost a moiety of their property.*

A serious and continued depression in the value of his produce is much more ruinous to the farmer than a stagnation of trade can possibly prove to the manufacturer. However great may be the fall in the price of agricultural produce, it must be disposed of by the owner—the commodity which he holds is of a nature much too perishable to be long kept; and, although compelled to sell his crop at a ruinously low price, he must still continue to produce, at least until the manure, which he has at a great expense laid upon his land, has become exhausted. Were he to discharge his workmen, he must feed them in idleness—he must maintain

tain them out of parish funds, to which he is the principal, or perhaps the sole, contributor. Not so with the manufacturer: when the market becomes overstocked, and his goods fall in consequence below a remunerating price, he can generally devise, if not an absolute remedy for, at least some alleviation of, the evil under which he labours, without an entire loss of his capital. His goods will keep any length of time without injury; he can cease to produce, until the demand for his manufactures revives; and the workmen discharged by him must be supported, in a great degree, if not entirely, by the agricultural classes. The correctness of these observations is completely supported by the experience of the last ten years. During the depressed state of agriculture in 1821 and 1822, it is no doubt true that a considerable number of labourers were deprived of employment; but they were supported by funds raised principally out of the produce of land. Soon after the commencement of the crisis which recently oppressed the commercial world, the manufacturers of this country stopped their hands; they ceased to produce commodities which they could no longer dispose of to advantage; and the workmen discharged by them were turned loose upon the community, to be maintained either by subscription or by rates levied in the parishes to which they belonged. Thus, throughout the whole of the late eventful crisis, the manufacturer lost but little, if any, of his *capital*—he merely lost the profit which would have been realized upon this capital, in the usual course of business, during the interval in which his manufacturing operations were at a stand. During the depression of agriculture, on the other hand, the farmers not only did not realize the profits which they had been accustomed to make upon their capital, but most of them gradually lost the capital itself; and when the moment arrived that capital employed in agriculture began to yield the usual returns, few of those who had sustained the losses of the unfavourable crisis had the means left to take advantage of this improvement. Now, however, when the tide which had set so strongly against agriculture begins to turn in its favour, a loud outcry is instantly raised against those who are engaged in it: in the various publications with which the press, quarterly, monthly, weekly, and daily teems, they are held up to the public as extortioners, who grind the faces of the poor, who rob the workman of a great portion of his hire, and the manufacturer of the profit to which he is fairly entitled. This might lead a stranger to imagine that the average price of wheat in this country amounted to 80s. or 90s. per quarter; whereas the highest average for the last three years does not exceed 60s. per quarter: and we should therefore conceive that even a working mechanic would, upon reflection, admit the language systematically used
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by demagogues and declaimers upon this subject, to be perfectly inapplicable to the present state of the corn-market. If the farmers were even for a time to realize profits somewhat higher than the average returns upon capital, it would only compensate them, and that in a very small degree, for the heavy losses which they have sustained; it would only make matters even, and tend to place agriculture on a level, in respect to profits, with other occupations; it would merely secure, upon the capital embarked in the cultivation of the soil, a fair return of profit in a given average of years. And this, we apprehend, is a circumstance of which no honest man would venture to complain.

We would moreover request those who so eagerly call for a free trade in corn, on the supposition that under that system manufactures would thrive at the expense of agriculture, to recollect that the prosperity of both the capitalists and the workmen employed in manufactures must, like quicksilver in a barometer, rise or fall with the prosperity of the agricultural classes. As the wages of labour are found, on an average of years, to rise and fall with the price of corn, so the returns and profits of manufacturers, shopkeepers, and other traders, fluctuate on a scale corresponding, almost mathematically, with the variations which take place in the market-price of agricultural produce. Mr. Cayley states, that he was informed by a very intelligent correspondent acquainted with the party,—

‘that a shopkeeper in a farming district, when wheat was selling at about 90s. per quarter, sold goods (cotton, cloth, groceries, &c.) to the amount of 6000*l.* per annum, and that his creditors were punctual in paying him his Christmas reckonings. That, when wheat fell in price, in the years 1815, 1816, to little more than 60s. per quarter, he did not sell more than 4000*l.* worth, and that he was obliged to give credit to more than half his customers, instead of taking their money. That during the years 1817, 1818, 1819, he sold more than 5000*l.* worth of goods each year, the price of wheat being 94s., 83s., and 72s.; and his customers nearly rubbed off all their old scores. During the next year his sale amounted to about 4000*l.*, and very little credit was given in his books; but the year 1821 brought his sales down to 4000*l.*, and the two following years reduced them to less than 3000*l.* each year, and very little of it was paid when due; the price of wheat for those three years being 65s., 54s., and 43s. per quarter.’

‘The action of one foot cannot correspond more exactly with another,’ observes Mr. Cayley, ‘than did this man’s trade with the price of corn. The losses and adversity of the retail, must extend themselves to the wholesale trade; and, if the wholesale merchant’s custom fail him, the demand from the manufacturer is reduced in the same proportion.’—*Cayley on Corn, &c.*, pp. 8, 9.

The great bugbear which frightens the English manufacturer,
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is the theory that his goods will be undersold in the foreign, or even in the home market, by rivals who, paying their workmen lower money wages, *manufacture their commodities at a smaller cost*, and can, therefore, afford to sell them for a lower price. But whoever asserts that a foreigner fabricates commodities at a smaller cost than the English manufacturer, because the former pays his workmen lower wages, maintains a gross fallacy. The reduction which the application of machinery makes in the quantity of labour required to manufacture a given quantity of wrought goods is kept entirely out of sight. To produce a certain quantity of manufactured commodities, the foreigner, having few mechanical means for the abridgment of labour, requires the service of twenty workmen, while the English manufacturer, having it in his power to avail himself of the assistance of the most efficient machines, can produce an equal quantity of commodities by employing only five workmen. Although it be true that the foreigner pays his workmen individually lower wages, it is not, therefore, true that he can manufacture at a lower, or even at an equal, cost. The additional number of hands which the want of machinery obliges him to employ, more than overbalances the advantage which he derives from the lower rate of wages which he is called upon to pay to each workman: and the relative cost of manufacturing commodities in two different countries should be calculated, not in money, but in the quantity of corn which money will purchase, multiplied by the number of workmen that must be employed in executing a given task.

To rebut the force of this observation, it will, perhaps, be contended that, as one man can imitate anything which another man can make, the foreign manufacturer will, at least by degrees, possess himself of machines of power and efficiency equal to those which are used in this country; and that whenever this takes place, the low-rate wages paid to his workmen will give him, even upon our own principles, an advantage over the English manufacturer. Our manufacturers may, and probably must, be deprived, by degrees, of the superiority which they derive from the application of more skill and more efficient machinery. But England supplies, we apprehend, some local and natural requisites for manufactures which no other country can furnish—at least, in an equal degree. Considered with respect to its effect in abridging labour employed in manufactures, the most important event of modern times is, the discovery of the steam-engine. The country which cannot command a constant and permanent supply of coals will derive no assistance from the employment of this most powerful agent: and it is well known that in very few districts on the continent can an adequate supply be procured of an article which is
thus

thus become an indispensable ingredient in manufacturing operations. In another indispensable requisite—an adequate supply of water—our manufacturers possess an incalculable advantage over any competitors with whom they may be called upon to enter the lists. It is true that we boast of no rivers which, in point of magnitude, can rival the Danube, the Rhine, the Elbe, the Vistula, or many others which could be easily named. It should, however, be remembered that there are few manufactures which can be carried on advantageously on the banks of large rivers. Large rivers pass with a slow current through flat and level districts; this circumstance renders it physically impracticable for the art of man to draw aside any portion of their water to be applied to manufacturing purposes. Even in this country the banks of our larger rivers, insignificant as they are when measured with those of the continent, are seldom found to be the seats of many manufactures. Passing by these places, which nature has rendered inapplicable to their views, our manufacturers spread their establishments along the banks of our lesser rivulets and streams, which they can impound, release, or divert at their pleasure. To this it should be added, that the continental brooks and rivers are frozen during their long winters, and the former utterly dry through the greater part of the summer; whilst of England the characteristic is, ‘Her streams unfailing in the summer’s drought.’ One of the most powerful and most useful of the natural elements becomes thus, in the hands of the manufacturer, a pliant instrument, which, at his own will and pleasure, he can manage and render subservient to his views and purposes. Trivial as these circumstances may at first sight appear, they will, on more mature reflection, assume an aspect of no ordinary importance.

Assuming, then, that the manufacturers of other countries should by degrees possess themselves of steam-engines, jennies, and other machines equal in power and efficiency to those which are used in our own manufactories, still, if they cannot command similar advantages of fire and water to put these engines and machines in motion, we have no reason to dread their rivalry in manufacturing industry. Until the manufacturers of this country lose these advantages of fire and water which nature has conferred upon them, they cannot be undersold in any market by continental competitors.

But with the view of calming the fears of the manufacturing classes, we shall venture still further, and advance a proposition which may perhaps be considered as wearing the appearance of a paradox. We are inclined to suspect, that the high price of corn, and the consequent high rate of wages, in England, when compared with the price of corn and the rate of wages in other countries, furnish the strongest proof that English manufactures have nothing

to

to fear from foreign competition. It would not be difficult to show that the money-price of corn has been always highest among those nations who have been most conspicuous for manufacturing industry. Of this, Holland, during the first half of the last and the whole of the preceding century, furnishes a striking illustration. During the whole of that period corn in Holland was generally fifty per cent. dearer than it was in this country; and yet at that time England was immeasurably surpassed by Holland in the extent and variety of its manufactures. As soon as the inhabitants of this country established manufactures of their own, and began to fabricate at home the goods which they had been accustomed to import from the Low Countries, the price of corn began to increase in the markets of England. And its price is now higher here than in any other known country, because the extent and energy of our manufacturing operations render the demand for it both more intense and more constant than it is found anywhere else; and because the skill, science, and machinery, used by our manufacturers, enable them to convert a given quantity of corn into a greater quantity of wrought goods than it could be converted into in any other country. It is well known that those countries in which the price of corn approaches most nearly to its price in the English market are our most formidable rivals in manufactures. The countries which are likely to enter most successfully into competition with the English manufacturer are precisely those in which the price of corn comes nearest to its price in our markets. From the rivalry of Poland and Russia, the regions of cheap corn and low wages, we have nothing to fear probably for centuries to come.

Our manufacturers, in their nervous trepidation, fix their eye on the wrong object. They run over a statement of foreign prices, and see wheat set down at 20s. per quarter in one place, and 30s. per quarter in another; and their minds are instantly filled with the most disquieting dread of foreign competition. They need not, however, look with terror to the countries in which prices and wages are low. The competitors whom they should really fear are the inhabitants of the countries in which the price of corn and the rate of wages are high: that state of things *proves* the existence of manufacturing industry, producing a demand for labour, and, consequently, for the food necessary to sustain the labourers; the opposite state of things *proves* the reverse. We should be inclined to fix upon the price of corn as the means of constructing a scale whereby to ascertain the progress which different nations may have made in manufacturing industry: the nations among whom corn fetches the highest price will take the foremost rank; and those who most nearly approach them in this respect

respect will, if we are not greatly mistaken, prove their most formidable rivals. The cause which excites at present the fears of our own unreflecting manufacturer constitutes, in truth, the very best ground of his security.

In forming a permanent system of corn-laws, it must never be forgotten that from physical causes of universal operation, England becomes every day, in the proportion that tillage extends itself over the surface of the island, less exposed to fluctuation in the average quantity of corn grown on the whole of its cultivated land than any other country in the world. This is a most valuable advantage, which it derives from the variety of soil and climate included within its limits. Large continents generally abound in widely extended plains, either not at all intersected with mountains, or with such as are too highly elevated for cultivation. Hence results a greater uniformity of soils and climate over extensive districts, and the aggregate produce of those countries is found annually to vary in the degree in which the state of the atmosphere may have been favourable or unfavourable to vegetation in the most prevalent soils. In England things are somewhat different. Here we have an astonishing variety of soils in very limited districts, and at almost every conceivable degree of altitude above the level of the sea. Whether the season be, therefore, wet or dry, one part or other of this country derives an advantage from it proportioned to the disadvantage which is inflicted upon another part. When vegetation, for instance, withers and droops from excess of heat, and lack of moisture in one district, it flourishes with additional vigour derived from this very cause in another part of the kingdom which receives a greater fall of rain, and in which the soil is more retentive of moisture. Hence England, from its happy natural situation, possesses much of that useful adjusting property, which certain economists ascribe to the world at large. When a deficiency in the crop of corn takes place in one part of the island, it is sure to be balanced by a superfluity in another district; the average supply over the whole, becomes thus in some degree equalised; and the more cultivation is pushed into new districts, possessing a different variety of soil, climate, and exposure, the more nearly will this adjusting property reach an exact equilibrium.

That the system which is to regulate the future admission of foreign corn into the markets of this country should be settled upon some certain, firm, and permanent basis appears to us indispensable; not merely to allay the irritation which is periodically excited by the discussion of this agitating question; but to protect the best interests of this country from a deep and irreparable injury. We feel convinced, that more harm would accrue

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to every other class of the community from an impolitic disregard even of the prejudices of the agriculturists, than could possibly spring from conceding their most unreasonable demands. It is vain to attempt persuading the English farmer that the introduction of foreign corn would not prove permanently injurious to his interest; it is vain to tell him that his fears on this score are ill-founded; for, whether these alarms of the British cultivator be or be not well-founded, the moral influence which they produce upon his conduct is still the same. As long as these alarms exist; and exist they will, in spite of all that the ablest economists may say and write for the next hundred years—in spite equally

Of patriots bursting with heroic rage,
And placemen all tranquillity and smiles—
his exertions in tilling his farm will be paralyzed; he will slacken his industry and withhold his capital from the land on which it would be otherwise spread. And if the corn question should be disposed of, without regard to the wishes, or even the prejudices of the class engaged in agriculture, we are convinced that the result would be an alarming reduction in the quantity of grain annually grown in this country. The uncertainty created by the dread of undefined changes has, we apprehend, already been attended with much of this injurious effect; and, coupling the influence of these alarms with that of the enormous actual losses sustained by the agricultural classes within the last ten or twelve years, we have little doubt that the gross produce of land in this country at this time falls much short of what it would have been under more encouraging circumstances. Any uncertainty or alarm, which harasses the mind of the farmer, injures tillage. Like the worm, which works invisibly and silently in his fields, it will gradually undermine the prosperity of agriculture; and the effect of this relaxed energy, in calling forth the productive powers of the soil, must very soon reach the other classes of society. Whenever a reduction is effected in the quantity of grain and grass produced in the fields of the disheartened farmer, there must necessarily take place a diminution in the weight of bread, beef, and mutton which can fall to the share of the industrious artisan and working manufacturer.

Most of those who recommend the application of the free-trade theory to the corn question seem to consider the English farmer just as inaccessible to the impulses of hope and fear, as the team which he drives in his plough. They argue upon the assumption, that, although the foreign corn-grower be permitted to enter into the most open competition with him in the home market

market, the innocent country farmer will continue his usual exertions—will continue to toil, to perspire, and slave, utterly regardless of the foreign rival with whom he has to compete. It would be uncivil to say, that the gentlemen in question over-estimate the extent and importance of their own knowledge; but we may venture to hint that they somewhat overrate the apathy and ignorance of the British farmer. The way in which certain economists argue this subject appears extremely simple, and to them, we doubt not; perfectly satisfactory. They count upon their fingers: ‘two and two make four.’ ‘The farmers of England bring forty millions of quarters of wheat to market; allow foreigners to send hither five millions of quarters of wheat; we shall thus have in the home market forty-five millions of quarters, and the price of that commodity will fall in proportion.’ All this might be very correct reasoning, were it not for a force which perpetually disturbs the systems and calculations of these gentlemen: if we could conceive the British corn-grower to be, as they seem to consider him, exempt from the influence of human passions, the importation of foreign grain would, no question, in proportion to its extent, augment the quantity offered for sale in the English market. But the agricultural classes are yet so far behind the light of the age; the ‘march of their mind’ is so slow, that it will take much time, and cost much labour to make them relish these principles of ‘the most exact of the sciences,’ and act upon them; nay, so incurably obstinate—so impenetrable to the light of science—do we believe the body of British agriculturists to be on this point, that we are firmly persuaded the free or indiscreet admission of foreign grain would discourage the production of at least an equal quantity, which would otherwise have been grown at home.

‘It is well known,’ observes a very sensible and temperate writer on this point, ‘that the productiveness of land mainly depends on keeping it clean and dry, and in manuring it. If agricultural profits are much diminished, the farmer in the first place keeps down his labour as much as he can. In this way he lessens his growth. He is also able to keep less stock; and then he deprives himself of the very life’s blood of production. But does not he likewise diminish the production of the country? and every one who is the least conversant with agriculture knows how readily this could go to the extent of half a quarter per acre in any description of land; and yet such a diminution would amount to an eighth or a seventh of the whole produce of the country.’—*Observations on the Corn Laws*, p. 25.

Supposing, therefore, the free importation of foreign corn to be habitually allowed, it would be the interest of the cultivator to relax his exertions, as the production of a lessened quantity would not only require a smaller outlay, but the diminished pro-
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duce would yield him a larger return of profit. Assume that the demand in the market now amounts to forty millions of quarters of wheat: the home produce is at present sufficient to meet that demand; and it sells for about 60s. per quarter; the whole amounting to 120,000,000*l.* sterling. Suppose the introduction of five millions of quarters of foreign corn should reduce the price to 50s.: the forty millions of quarters would then only sell for 100,000,000*l.* sterling. Imagine the British agriculturists should then gradually relax their efforts, and reduce the growth of corn from forty millions to thirty-five millions: the whole produce in the English market would then be restored to its state before foreign importation; the price would rise to 60s. per quarter, and the British agriculturists would obtain 115,000,000*l.* (35×3) for the reduced quantity grown at a reduced cost, instead of the 100,000,000*l.* for forty millions of quarters grown at the expense of an increased outlay.

That the English farmers should persist in growing their usual quantity of corn for the sake of seeing their granaries filled with produce which foreign competition will inevitably compel them to part with at a loss, is, it must be admitted, one of the most visionary speculations which ever entered the brain of a theorist. And if the view which we have been giving of the operation of an indiscreet tampering with the property of the British corn-grower be correct—we really do not see that it can successfully be impugned—it is apparent that a blow might be inflicted upon British agriculture, not to be counterpoised by the slightest advantage to any other of our national interests.

The whole question, then, important as it must be considered, resolves itself into this inquiry: shall we, by interfering injudiciously with the interests,—or, if the adversaries of the non-importation corn-laws will have it so, with the prejudices—of the English agriculturist, discourage native tillage; and encounter the certainty of diminishing the quantity of corn grown in this country, even in a ratio far beyond any supply which we can reasonably calculate upon deriving from foreign importations?—shall we take ten or twelve millions per annum from the British agriculturists,—not to be distributed among the commercial and manufacturing classes of this country in the shape of increased wages and augmented profits; but to be paid to foreigners for bread, which might have been, which would have been, produced at home, if the British farmer had been adequately protected in our own markets against foreign competition? We are quite sure that every reflecting man throughout the whole empire will hold up his hand against so injurious a proposition; we are quite sure that the manufacturers, traders, and mechanics of this country would never wish to see a
measure

measure carried into effect which would discourage British tillage ; lessen the capital employed in agriculture ; injure the interests of those whose capital is now vested in the land : whilst the whole of the advantage to be derived from this change of system—entailing ruin upon a numerous and valuable class of individuals—would pass by them, and be transferred into the pockets of foreigners.

One thing is clear. It is unquestionably and most urgently needful that we should have the laws regulating the admission of foreign corn placed upon a steady and permanent basis. The farmer now hires his land under the impression that the ports will remain closed until the price of wheat rises to 80s. per quarter ; and under the influence of this, he makes his contract with his landlord. However, for some years past a bill has been introduced at the close of almost every session, permitting the sale of bonded corn ; the effect of which is, to admit annually into the English market at least 500,000 quarters of foreign wheat. The corn thus released from bond is instantly replaced by a new importation, which, in its turn, is sent into the market by a subsequent temporary act of the legislature. Such a system of shifts and expedients is unworthy of an enlightened legislature ; and it is also highly injurious to the occupying farmer, as the loss arising from the reduction of price caused by this foreign supply falls exclusively upon him. The landowner exacts the rent which was agreed upon, on the supposition that the ports should remain closed until English wheat should sell for 80s. per quarter ; and he actually derives an advantage as a consumer from this circumstance ; he does not reduce the amount of rent exacted from the tenant ; but having exacted a rent calculated upon a high price of corn, he comes into the market to buy his bread, his beef, his oats, and his other articles of consumption, on the scale of prices to which they have been reduced by foreign competition. Whatever advantage the consumers of corn may derive from this temporary supply, it is derived at the expense of the actual occupiers of the land. It, therefore, concerns this class above any other, that some permanent and invariable system should be adopted in regulating the importation of foreign corn. It ought either to be excluded altogether until the price in the home-market reached a fixed amount, or admitted upon some invariable plan, which would enable the British grower to know what he is about, and to form his plans and calculations under the protection of some certain and steady policy. He is now totally ignorant what laws may pass from one year to another, which may produce the most important alteration in the value of his property ; he is not only exposed to the variableness of the seasons, from which
nothing

nothing can exempt him, but likewise to the fickleness of human caprice.

Upon the most mature consideration which we have been able to bestow upon this most important subject, that system appears to us to be the best adapted to secure permanence to the happiness and prosperity of the people among whom it prevails, which tends most to augment the quantity and improve the quality of the surplus produce of the soil, and which offers the most powerful encouragement to abridge the amount of labour expended in the conversion of this surplus produce into wrought commodities. The increase of the quantity of food raised in any country provides a new fund for the sustenance of an additional number of people; and all expedients devised for the purpose of diminishing the quantity of this food consumed in the manufacture of a given quantity of wrought commodities, improve the comforts and enjoyments of this population. The energy and skill with which agriculture has been prosecuted during the last fifty years, have made an inconceivable addition to the annual produce of land in this country. And from the impulse thus given to the most valuable of all occupations—the cultivation of the soil—we may look forward even to a greater increase within the next half-century. Our population will thus admit of a gradual addition to its number, without a reduction in the quantity of food which falls to the share of each individual. Subsisting on the growth of our own territory, we shall not experience the disastrous reverses to which a people that draws a considerable portion of its subsistence from foreign countries is unavoidably exposed. A country which thus depends for a supply of food upon its own resources will not, it is true, experience sudden fits of brilliant prosperity; but its progress, although not dazzling, will be gradual, steady, and safe. Under this safe system, the population of Great Britain will never, perhaps, reach the density which once constituted the ephemeral pride and boast of the Lombard and Hanseatic cities; but as long as her agriculture, adequately protected from the injurious influence of foreign rivalry, continues to flourish, the period will never arrive when the grass shall be seen growing in the streets of her deserted towns—when the palaces, once occupied by her merchants, shall present nothing to the eye of the beholder but a mass of ruins.

ART. VI.—*A Pilgrimage in Europe and America, leading to the Discovery of the Sources of the Mississippi and Bloody River, with a Description of the whole Course of the former, and of the Ohio.* By J. C. Beltrami, Esq., formerly Judge of a Royal Court in the ex-Kingdom of Italy. 2 vols. London. 1828.

THE schoolmaster is abroad,' says Mr. Brougham, and 'the primer' (with the help of the birchen rod, we hope) 'will prove more powerful than the iron bayonet'—the horn-book and the primer, those primitive rudiments of the more shapely octavo and the portly quarto! Much blood has been shed, and many a fair region made desolate, by the man of the bayonet; but what oceans of innocent ink will hereafter be spilt, and what millions of acres of spotless foolscap be sacrificed to this man of birch, when horn-books swell into octavos, and primers into quartos, heaven only can tell!—Is there no danger, lest, from a nation of shop-keepers, we shall become a nation of book-makers? Some two generations ago, the market for intellect was a monopoly, chiefly confined to the garrets of Grub-street; but now that 'the schoolmaster is abroad,' and the march of mind follows in his train, the book-making trade, like all other trades, which political economy has set free, will spread unshackled far and wide. Hints and crude sketches, when put into the hands of a skilful craftsman, will suffice for a volume, and by a judicious division of labour, the real author may be relieved from the drudgery of composing his own book.

We are induced to consider the two volumes before us as a joint production of this kind. An Italian *could* not have written them. We mean not to say that M. Beltrami has not travelled, (there is internal evidence that he has,) or that there is anything new in books of travels being written by persons who never travelled. On the contrary, that excellent book, known as Marco Polo's, is supposed to have been compiled from conversations and scraps of memoranda of the traveller while in prison. The travels of honest John Bell of Antermony are said to have been compiled by Professor Barron, of the University of Aberdeen. It is still a matter of doubt whether Gemelli Carreri, who has published an entertaining account of his travels round the world, was ever out of Italy. The adventures and discoveries of Mungo Park are said to have been drawn up by Bryan Edwards. The enterprising Belzoni could not write English; and the amusing travels of M. Le Vaillant among the Hottentots, full of fiction and romance, are the production of a French abbé, who had

had probably never passed the barriers of Paris ; this last work is, in most respects, a very close parallel to that of M. Beltrami.

This ex-judge of an ex-court in an ex-kingdom would seem, by his own account, to have been sent into exile, without trial, at a time when a recent fracture of the thigh rendered it necessary for him to support himself on crutches. What the nature of his offence was we are left to conjecture ; but he speaks of ‘ errors of youth, odious persecutions, and spies.’ He sets out from the Roman states on what he calls his pilgrimage, or ramble, through a part of Europe and in North America. If we had seen nothing more of his work than the full-length portrait, which stands at its head, we could have formed a tolerably correct judgment of its character : a more exquisite dandy, than is presented in the effigies of this ex-judge, thrown into the desolate regions of North America, could not have been imagined ; and the foppish frontispiece corresponds with every page of the book, both father and fatherer of which have great need of the ‘ schoolmaster.’ We shall not waste much time or paper upon the gentlemen ; but there is so much fiction, stated as matter of fact, in the account of their American rambles, that, for the sake of truth, of geography, and natural history, we deem it right to expose a few of their absurdities. As for the ex-judge’s mopings and moanings poured out into the bosom of his ‘ Dear Countess ;’ his horror of the Jesuits, coupled as it is with a most potent appetite for popish miracles of all kinds ; his affection for the memory of Napoleon, ‘ the greatest man that ever lived ;’ and his hatred of the ‘ Cabinet of St. James’—these, and all similar vagaries, we may safely entrust, as they are, to the common sense of ‘ the laughing animal.’

In sailing up the Thames in an Ostend packet, the ex-judge says, ‘ To describe it to you in all its majesty, in all its grandeur ; to exhibit to you the numerous ships, steam-vessels, and vessels of every size and form, some sailing up, and others down ; the towns, villages, and delightful pleasure-grounds which adorn, and the arsenals and docks which animate its banks ; to paint the vast floating forests of innumerable masts which, rising above the dark smoke that covers London as with a perpetual veil, seem to pierce and tower above the clouds ;—would require the pencil of a great painter ; I have not the presumption even to attempt it.’—*vol. i. p. 270.*

M. Beltrami, at least, is here more susceptible of impressions from external objects than was the Infant Don Miguel, who, while passing through the crowds of shipping, unusually great the day he sailed up the Thames, could not be prevailed on to leave the cabin to take a glance at them, not even at the artillery drawn up

on the ramparts to salute him as the yacht passed Woolwich—but his royal highness was sulky, and, perhaps, not without reason, having been at sea some thirty hours, when three would have sufficed to land him at Dover.

M. Beltrami's observations on London and the manners of the English generally are more correct than foreigners are apt to make; but they have no doubt received a thorough revision, as well as considerable *addenda*, from the book-maker. They occupy half the first volume, but we shall pass them entirely, contenting ourselves, as a specimen, with this brief and masterly sketch of John Bull's moral character and personal habits:—

'The unsophisticated John Bull, like many others, is never satisfied with the present, he always looks back to "the good old times." He talks to you of nothing but histories of Alfred, and of Magna Charta, of the restitution of violated rights; in short, of all that relates to his country, *as it was*. Nevertheless, he is very well pleased to be told that his country has reached a pitch of greatness and power which his good forefathers could not even have dreamt of; and the name of Waterloo, modern as it is, always excites a little complacent smile. In his *home*, and in all that depends upon him, his habits are his sub-lunary divinities. Woe to his wife if she set before him a dinner without a pudding, a "joint," (probably roast beef) and some home-brewed ale. Port wine is his sacred beverage; he regards all who do not like it as a species of infidels. He would give all the sofas and ottomans in the world for his old chair by the fire-side; nor would he give up his accustomed seat at the tavern or the public-house for all the *salons* or theatres in Europe. His coat must be in the fashion he has worn it all his life, and always of English cloth; he thinks it infamous to buy French manufactures. He would not wear fashionable pantaloons or boots for all the world; nor would he give his old walking-stick for bamboos, black rods, or bâtons. He always drinks out of a pewter pot,—*sicut voluere priores*;—to drink out of a glass is a bad habit. He is a great lover of the gothic, and would give up the most delightful situation and the best contrived plan, for the sake of restoring an old house and building in the gothic style. He thinks himself prodigiously cunning, and he is very distrustful; but he is easily duped by anybody who will talk his language, adopt his habits and his prejudices. He always thinks he is right, and he is often wrong; but to convince him of this is not an easy task. He is always abusing the government, England, and the English; but, on emergency, he would give all he is worth in the world for the glory of the government, England, and the English. He is irascible and violent, but rarely vindictive. He goes to church, and d—s all who do not; but he is neither superstitious, nor, *au fond*, intolerant, and is very far indeed from being the humble servant of the parson; on the contrary, he regularly quarrels with him about tithes, &c. &c. Though
very

very punctual in his engagements, he never chooses to pay without a dispute, to show that he will not be cheated. He is a tory from habit, a whig from inclination; an aristocrat from vanity, a democrat from principle. He is, I think, rather avaricious from temper, and generous from pride. He cordially detests all foreign manners, and often foreigners; he never approaches them but from curiosity—as *a sight*. Every thing French he regards with sovereign contempt; and unfortunately his “d—d French” includes all the continent of Europe;—he regards them all as fiddlers and dancers.’—vol. i. 462-4.

We must now follow our pilgrim across the Atlantic. What could possibly have carried such a person to North America, we are utterly at a loss to imagine. In most parts of Europe, a scholar conversant solely with ancient history, and with the languages called classical, may derive amusement from visiting the remains of former ages, and applying his researches and observations to the elucidation of remote events, and the manners of nations that have passed away; but in the woods and wastes of America, among living bears and dead mammoths, we cannot conceive to what imaginable use a traveller, possessed only of Latin and Greek and antiquarian lore, can apply his stock of knowledge. The *ci-devant* Judge of the ex-kingdom of Italy is precisely a man of this stamp—one not only utterly ignorant of the only two sciences that should induce a traveller to undergo the hardships and privations of a wild and uncultivated country—geography and natural history—but who affects to hold in supreme scorn and ridicule all expeditions undertaken for the enlargement of science in general, and those two branches of science in particular. ‘I,’ quoth this learned Theban, ‘I like to see nature as she is, free and untrammelled by systems.’ The following paragraph will exhibit this observer of Nature in his true light—a more consummate specimen of vanity and gross ignorance, unredeemed by one atom of sense, we do not recollect to have met with.

‘The advantages which have been hitherto derived from these expeditions have not, I believe, answered the views of government, or the expectations of the public. They have consisted of a few plants, with which, perhaps, all but the members of the expedition were acquainted, *and which swell that mass of unintelligible hieroglyphics, that scientific but tasteless and terrifying nomenclature, unfortunately consecrated by a great name, serving merely to overlay the memory, and to blot out the lovely picture of nature*; a few gaudy butterflies and other insects, of which we have already too many every where; of birds, which can only gratify curiosity and luxury; of stones, suggesting a thousand conjectures of their nature and origin, and which, whether *siliceous or calcareous*, or designated by any other learned terms, serve as materials for the idle discussions of pretenders to science, but contribute little or nothing to the benefit of the public;—such have been

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the principal results of these pompous and costly enterprises.'—vol. ii. pp. 469, 470.

A person thus utterly and hopelessly ignorant of what he ventures to write about, is not likely to collect any observations, or to make any discoveries in such a country as America, that can benefit either himself or the public. Our readers, however, may like to have an example or two of the mode in which this Italian philosopher 'sees nature as she is.' He kills a rattlesnake of certain dimensions—and apropos of rattlesnakes, he thus writes to his 'Dear Countess.' 'I must detain you an instant, my dear countess, to give you some *new* information respecting the phenomena of their poison:' and what is it? why, that the poison of the rattlesnake produces no effect upon pigs, 'they eat it, thrive, and fatten.' This *new* information has long ago been communicated by Linnæus, who says, the rattlesnake *a sue absque noxia devoratur*:' 'yet,' continues the ex-judge, 'it (the poison) is fatal to itself; when it is held down with a forked stick, if it can turn its head, it bites itself, swells, and dies.' If this, which has been said of the scorpion, be true, there is nothing very wonderful in it. A very small degree of the study of that part of natural history, called pathology, would have informed him, that the same poison which becomes fatal, when carried into the system by the blood, may be perfectly harmless when taken into the stomach.

But this is not the point, regarding rattlesnakes, which we meant to adduce as an illustration of the superior advantages to be derived from his 'looking at nature as she is,' or, in other words, knowing nothing about her. The instance we are about to mention would, indeed, as he tells his 'dear Countess,' be 'one of the most remarkable phenomena in nature,' if nature did not abhor and disown it, as a monster engendered by sheer ignorance and egregious folly.

'A rattlesnake was killed there with a hundred and forty young ones in its belly, several of which contained other young ones. Major Anderson, agent of the mines, and a man of unimpeachable veracity, told me this as a positive fact, of which he had been an eye-witness.'—vol. ii. p. 162.

It would be offering an insult to the understanding of our readers, to tell them, by way of information, that the rattlesnake and all the serpent tribe are *oviparous*; but any man of common sense (of which we by no means intend to accuse M. Beltrami) would know, that had the animal in question been *viviparous*, the idea of a fœtus in the womb of its mother, being impregnated with another fœtus, was not only preposterous, but a physical impossibility. The knowledge of this fact, it is to be hoped, will allay the apprehensions of the 'unimpeachable' Major Anderson,

derson, lest this extraordinary species of superfetation may inundate his mining district with rattlesnakes, even though our Italian ex-judge should have added to his alarm by telling him, as he has told his 'dear Countess,' that he understands 'rattlesnakes, like fishes, cross the sea without compasses or pilot.'

'I shot,' says our author, 'an animal to which naturalists, if I am not mistaken, give the name of *Mouffeta*;' the guess of a man who never condescends to read what 'naturalists' have written might have been wider of the mark. It is the *mephitis* to which he alludes, and whose wonderful qualities he is about to describe, along with some others which it does not possess. There are two species of this animal, both common in every part of America—the *viverra putorius*, and the *viverra mephitis*,—the skunk, polecat, or stinking weazel of the English—the *bête puante* of the French.

'Nature has given it a weapon of mighty power against its assailant, consisting in the intolerable stench of a liquid which it conceals under its tail, (as the serpent conceals its poison under its fangs,) and which it darts on the pursuer with such force, that it reaches him sometimes at the distance of sixty paces.'—vol. ii. pp. 478, 479.

'Sixty paces' sounds well: a distance equal to that which is thrown by a twelve-man-power fire-engine!—but had this ex-judge condescended to consult Linnæus, or almost any other naturalist, he would have found that, instead of this small animal squirting a fetid liquid (which does not exist) to the distance of sixty paces, it is its *breath* that gives out the fetid odour,—'*halitum explodit quo nihil fetidius.*'—We are sorry we cannot dissect the ex-judge's statement more thoroughly: we could not do so without offending the delicacy of our readers.

Of his capacity for viewing objects of nature, we have given sufficient specimens; let us now see with what accuracy he describes objects of art. As an instance of this talent, we shall extract his account of a Mississippi steam-boat:—

'Our passage to this place forms, I think, an epoch in the history of navigation. It was an enterprise of the boldest, of the most extraordinary nature; and probably unparalleled. Never before did a steam-boat ascend a river *twenty-two thousand miles* above its mouth. The vessel which conveyed us was the *Virginia*, one hundred and eighteen feet long, and *twenty-two* wide, drawing *six* feet water, and of *two thousand tons burthen.*'—vol. ii. pp. 127, 128.

It is possible, though not probable, that the *twenty-two thousand miles* may have been a typographical error, and that so many *hundreds* were meant; even then, they are five or six hundred beyond the mark; but as to the *steam-boat*, it is unfortunate that, for once, he has quitted generals, and given details, as by these we are enabled to arrive at our own conclusion, which is,
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if there be any truth in arithmetic, that, instead of 2000 tons, she was somewhere about 500 tons. Deficient as M. Beltrami obviously is, in every acquirement that a traveller ought to possess, it required some little ingenuity to contrive to swell out a whole volume of five hundred pages, in ascending the Mississippi to its sources, and from thence dropping down to its mouth. If we were asked, how he has managed this, we should be at a loss for an answer; and all we could say is, that, like Hamlet, we have been reading 'words, words, words;' the paucity of facts, the barrenness of incident, the namby-pamby style of sentimentality, with here and there an attempt at a touch of the pathetic, have passed off without leaving any distinct traces on our memory. About one-half of the volume is occupied with adventures among the Indians, with long and tedious details of their religion, and their *medicine-bag*—how they dance, and drink, and smoke, and fight—what long speeches they make, and how this intrepid traveller composed a serious breach between the two friends, *Wide-mouth* and *Cloudy-weather*. The attitudes of one of these heroes were so graceful, that 'they alternately reminded him of the equestrian statue of Marcus Aurelius on the Capitol, and that of the great Numidian king; and the skin girt over the horse's back was exactly the *vestis stragula*, or the *strata* of the Romans.' It is here, indeed, that M. Beltrami shows his ingenuity in swelling out his book by the extraordinary similarities, which he calls parallels (certainly not much in the manner of Plutarch) between the manners, customs, religious ceremonies, dresses, &c. of the Greeks and Romans, and the American Indians. A combat of some beavers, reminds him of the Horatii and Curiatii. The round shields of the Indians resemble the *clypeus* of the Romans—the oval ones, the *stutum*—the skin cloak is the *pallium*, and the *moccasins* are the *perones*, *cothurni*, *mulei*, and *calcei* of the ancients. 'I was forcibly struck,' he says, 'with the resemblance of the chief Wamenitouka to that famous statue of Aristides in the museum at Naples. In the chief Cetamwacomani, I beheld that of Cato predicting to the Romans, that their vices, their luxury, and their avarice would soon reduce them to slavery.' And he adds, 'the *corona castrens*, the *vevillum*, the *phaleræ*, the *armilla*, the *exuvie* of the Romans, are the distinctions which the Indians grant to military merit.' With so many points of similarity, and we have not mentioned a tenth part of them, there is no resisting the conclusion, that antiquarians and geographers have hitherto been mistaken in calling America the New World, seeing it is made up of such old materials. Indeed, we are almost persuaded that, with the help of Potter and Adam, M. Beltrami would be able to prove the descent,

descent, not only of the American Indians, but of the Hottentots also, from the Greeks and Romans.

At Fort St. Peter, near the falls of St. Anthony, the steam navigation of the Mississippi ceases. Here Major Long had arrived on a mission up St. Peter's river to the northern boundary of the United States, and this cautious officer, it would seem, was rather shy of our Italian traveller, regarding him as a sort of spy. At Pembinar (Pembina), therefore, near the southern part of Lord Selkirk's colony, he thought it prudent to part company, and having engaged two Indians and a *bois-brulée* (the fire-brand, or hunter) of Canada, he crossed over to the eastward, towards Red Lake. His grand object was to discover the sources of the Mississippi, which had, in fact, been already discovered. It is on this journey, sometimes with one Indian, at other times with two or three, and frequently alone, that our traveller riots in his adventures, disasters, and discoveries. In short, he is, among the Indians of the sources of the Mississippi, precisely what that lively Frenchman Le Vaillant was among the Hottentots of Southern Africa; and as the Frenchman met with a fair Narina to sooth his cares among those nastiest of humankind, so the Italian was consoled by the attentions of *Woasceta*, the daughter of *Wide-mouth*, or *Cloudy weather*, we forget which, who mended his torn mocassins, kept his pantaloons in order, and, we suppose, embroidered with porcupine quills that smart *coatee* which decorates his full-length portrait. But we shall leave his hair-breadth scapes and amorous adventures for the amusement of his 'dear Countess,' to whom they are addressed, preferring rather to sift the ex-judge's pretended and impudent claim to a discovery which was made by Mr. Schoolcraft and others, two or three years before the date of his pilgrimage.

It has long been known by the Canadian hunters, that to the westward of Lake Superior, and between the 46th and 49th degree of latitude, the whole surface of the country is one vast, elevated, rugged plain, abounding in lakes, and the swampy levels and hollows covered with numberless pools of water, such as in the north of England are usually called *tarns*; that the latter communicate with each other, sometimes by almost stagnant channels, sometimes above and sometimes beneath the surface, which, from its undulating motion when passed over, is called by the Indians the 'shaking land.' About the latitude of 47° 45' is Red Cedar Lake, whose name Mr. Schoolcraft thought fit to change to Cassino Lake, in honour of Governor Cass. It is from this lake, fed by the drains around it, that the Mississippi issues. Immediately to the northward of it runs the broken ridge which separates the northern from the southern waters; the former taking a north-

north-easterly course, and falling into 'Rainy Lake,' in latitude $48^{\circ} 30'$, whose waters, after several rapids, are emptied into the Lake of the Woods, in latitude $49\frac{1}{2}^{\circ}$. On the west, north-west, and south-west of Cassino, and from Red Lake to the northward of it, in about 48° , the waters flow into the Great Red River, which is emptied into Lake Winnipeg, and proceed from thence into Hudson's Bay.

Now let us see what this grand discoverer of the true sources of the Mississippi has accomplished. With Schoolcraft's map before him he could not do otherwise than mark down the Cassino Lake in its proper place; but all beyond it he conceived to be fair ground on which to exercise his talent at 'closet geography,' and 'visionary map-making,' which he so much and justly reprobates, for he avows that he neither possessed any instruments to take the latitude and longitude, nor could have availed himself of them if he had. Here, then, he had a complete *carte blanche* on which to exercise his ingenuity—which he has done as follows. In the first place, he has thrown up the Lake of the Woods to $50\frac{1}{2}^{\circ}$ to give more scope for his new discoveries. At $49\frac{1}{2}^{\circ}$, where the Lake of the Woods actually is, he has fabricated a large lake, which he calls Kakokisciousibi, and is the same as the Red Lake, which is, in fact, in $48\frac{1}{2}^{\circ}$, and the Red Fork, flowing out of it into the Red River, is converted into the Bloody River. Farther to the southward, in $48\frac{1}{2}^{\circ}$, the precise situation of Red Lake, is another new discovery of a large lake, with a hard name, which, it seems, implies Turtle Lake; and a few miles to the northward of this, is another, of a very extraordinary description, indeed a perfect nondescript, on which he has conferred the name of *Julia*. It is three miles round, and heart-shaped, situated on the summit of an eminence, from which may be seen 'the flow of waters—to the south, towards the Gulf of Mexico; to the north, towards the Frozen Sea; on the east, to the Atlantic; and in the west towards the Pacific Ocean.' Its waters are stated to 'boil up in the middle,'—that is, he saw them at the distance of half a mile, which is a pretty sharp sight; his sounding lines could find no bottom—we suppose he swam with them in his teeth to the middle. The pilgrim asks 'how is this lake formed, and whence do its waters proceed?'—leaving the 'grand Architect alone' to solve the questions; and he shows some signs of sense in so doing. Though 'this lake has no issue,' he was aware, no doubt, of the difficulty of accounting for a constant supply of water, where there are no steam-engines to force it up, as into the great reservoir on the top of Primrose Hill, or that at the head of Tottenham-Court Road, to the former of which Lake Julia bears a wonderful likeness.

M. Beltrami,

M. Beltrami, after a page or two of rhapsodical nonsense, believes himself that it may be, after all, as well to 'conjecture' something as to the question he had left to 'the grand Architect alone;' and accordingly he has recourse to one of those powerful divinities to whom travellers of his description usually apply, when a knotty point arrests their progress—an earthquake or a volcano; his speculations go to the latter, and he comes to the conclusion, that 'the basin of the lake has been its effect and its crater.' But another question presents itself to our pilgrim, 'Whither do these waters go?' This question he has solved to his entire satisfaction. At the northern foot of this mount of Nature's engineering, the water bubbles up into a little basin surrounded by rushes, having filtrated from the lake through the north bank of the mount: 'They are the sources of the Bloody River.' On the opposite, or south side, and at the foot of the eminence, other sources bubble up and form a beautiful little basin, of about eighty feet in circumference. 'These waters likewise filtrate from the lake; AND THESE SOURCES ARE THE ACTUAL SOURCES OF THE MISSISSIPPI.'

When Bruce reached the source of the Nile, he felt proud of the triumph he had gained over kings, and armies, and philosophers, who, for three thousand years, had failed in their attempts; but it was a short-lived triumph. 'I found,' says he, 'a despondency gaining ground fast upon me, and blasting the crown of laurels I had too rashly woven for myself.' M. Beltrami exults in a somewhat different style:—

'Oh! what were the thoughts which passed through my mind at this most happy and brilliant moment of my life! The shades of Marco Polo, of Columbus, of Americus Vesputius, of the Cabots, of Verazini, of the Zenos, and various others, appeared present, and joyfully assisting at this high and solemn ceremony, and congratulating themselves on one of their countrymen having, by new and successful researches, brought back to the recollection of the world the inestimable services which they themselves had conferred on it by their own peculiar discoveries, by their talents, achievements, and virtues,'—vol. ii. p. 414.

We have no desire to lessen the self-importance which is assumed by this grand discovery; and we have, therefore, followed the Pilgrim's example in putting it on record in Roman characters. We further wish to assure him, if it be any gratification, that we implicitly believe, nay more, are positively sure, that 'neither traveller nor missionary, nor expedition-maker, ever visited this lake;' and still more, that none of them ever will, for the best of all possible reasons, because it does not exist—like the air-drawn dagger of Macbeth, 'There is no such thing!' We fearlessly pronounce

pronounce the whole account of the 'Julian lake' and the 'Julian sources,' and the 'bubbles,' to be a palpable and clumsy fabrication; and hope our pilgrim has been more sinned against than sinning, in this promulgation of the absurd story to the world. It would be a sufficient refutation to tell this Pilgrim, what he seems not to know, that the statement, which represents rivers as running in opposite directions, out of the same lake, is contrary to nature; and that, as Sneer, in the Critic, says, 'What is unnatural is a physical impossibility.' But we have positive proof of the fallacy of these pretended discoveries. The North-west Company, and the North American Fur Company, have each of them a settlement near the southern corner of Rainy Lake, which occupies the very parallel of latitude on which this Pilgrim has placed his nonentity; and if he will take the trouble to consult the excellent map of Walker, published only last year, and to whom all the information collected by the North-west Company was given, he must blush to see in what a silly as well as shameful manner he has falsified the geography of this portion of North America. It is indeed quite ridiculous for a person, who confesses his total ignorance as to latitudes and longitudes, to pretend to lay down his discoveries on a chart already filled up by those, who had the means and the ability of ascertaining the true latitudes and longitudes.

We now take leave for the present of M. Beltrami, who may consider himself fortunate in having escaped with this light infliction of the birch-rod. If he be not too much in love with himself to listen to friendly admonition, we would advise him, should he still persist in getting up one or two more octavos, the result of his pilgrimage to Mexico, to abstain henceforth from abusing or ridiculing the sciences that are beyond his reach, and to set down nothing but what he actually sees, or knows, from good authority; for he may be well assured, that if he should, *aut per se aut per alium*, preach up any more false doctrines, and, what is worse, disseminate any more false facts, we shall be tempted to give him a specimen of rather severer discipline.*

Silly levity and credulity may account for one such outrage as this publication presents; but a repetition of the offence, after warning, need entertain no hope of being so mercifully thought of or dealt with.

* Since this was printed, we have looked into Major Long's Second Expedition, compiled by Mr. Keating, in which we find the following note:—'An Italian, whom we met at Fort St. Anthony, attached himself to the expedition, and accompanied us to Pembina. He has recently published a book, entitled, "La decouverte des Sources de Mississippi, &c.," which we notice merely on account of the fictions and misrepresentations which it contains.'—S. H. L. (Stephen H. Long.)

ART. VII.—*Eighth Report of the Commissioners of Irish Education Inquiry, with the Appendix—Roman Catholic College of Maynooth.* London, June 2nd, 1827. Ordered by the House of Commons to be printed, June 19th, 1827. pp. 461.

FEW questions have of late years more attracted the attention of parliament, and none could have better deserved to do so, than the education of the people; and if little practical good has as yet been effected, we have at least obtained much valuable information. Two commissions on this subject have been sent to Ireland, the last of which has just completed its labours. It was directed to examine into all institutions connected with education, supported wholly, or in part, at the public expense; and thus, perhaps accidentally, the college of Maynooth came under a jurisdiction, which had been originally intended to embrace only the schools for the instruction of the lower orders. We are glad that this deviation from the original plan took place, as we had long been most anxious to receive some authentic statements respecting that very important seminary.

We have always considered the education of the clergy as a question of the highest moment. In a Protestant country their authority is greatly felt, but in a Catholic state it is beyond calculation increased; for there their influence enables them not only to direct the religious conduct, but also to interfere with the temporal affairs of their flock. There the system of auricular confession silently but powerfully augments their weight, and there the prostration of the understanding to the dicta of the church, so universally and peremptorily demanded, renders all attempt at resistance to unqualified obedience, an act of contumacy against religion, while the religious teachers are considered not as mere fallible mortals interpreting the word of God to mankind, but, in their collective capacity, almost as emanations from the Divinity himself.

Although education may diminish among the higher classes the evils produced by such a religion, the effects to which we have thus briefly alluded must occur wherever, as in Ireland, the very large majority of the Roman Catholic population consists of the lowest orders. There the instruction of the Catholic priesthood must at once be admitted to be an object of paramount importance, and more especially when we reflect upon the past and present state of that country. From the earliest period of its history, it has been the arena of discord, civil war, and rebellion; its annals have been stained with crimes of the deepest hue, among which murder is but too conspicuous; every civil contest has been followed by the confiscation of the property of the vanquished; and

and in almost every instance the Roman Catholics have been the sufferers. Thus the ancient Milesian families have gradually been reduced to the state in which we now find them—the poor tenants, or the wretched cultivators of the land, over which their ancestors once held undisputed sway. Hence we find the proprietors of nearly the whole of the surface of Ireland—almost the whole of the peerage, (with only eight exceptions, out of two hundred and twelve peers,) and a very large proportion of the gentry—Protestants;* while the immense majority of the peasantry, the most influential of the clergy, and the leading demagogues, are Roman Catholics: thus arraying, on the one side, rank, property, and political power; on the other, numbers, clamour, and religious zeal. It may, indeed, be readily conceived, that where the Romanist inhabitants of a parish are composed almost entirely of the lowest classes, a priest, either through want of judgment, or (possibly) through evil intention, may easily mislead those committed to his charge, who, in many instances, consider their landlords as usurpers, and in the very great majority of cases have no community of feeling with them, either as to politics or religion. The education of clergymen, armed with such power, must needs be a question of vital importance. Were we to express our wishes, we should say, that they ought to spring from at least respectable families, wherein they might have had some intercourse with the world, some acquaintance with mankind. They would then proceed to their seminary, not imbued with illiberal ideas, but inclined to reject the rigorous principles of exclusion which it must ever be the desire of monastic bigotry to enforce. There they might be allowed reasonable liberty in all respects, without necessarily injuring their morals or impairing their religious principles. The pre-eminent necessity of strict allegiance might be inculcated, and obedience to their sovereign united with due submission to their ecclesiastical superiors—they would then go forth educated as loyal subjects and tolerant Christians, to be the teachers of the word of God, and the indi-

* We are almost afraid to say what number of acres has been at different times confiscated in Ireland. We believe more than the whole country twice over. The result has been, if we may believe the late Lord Londonderry's assertion in the House of Commons, that 49-50ths of the land belong to Protestants. Even supposing this statement to be somewhat exaggerated, though we do not know that it is much so, still it leaves *nearly all* the soil in the hands of one party. The relative proportion of numbers which those of one religious persuasion bear to those of the other, has been a subject of much discussion. We cannot trust to the Catholic Association, when we remember how they have habitually falsified documents, and invented facts. It is impossible, therefore, to place any reliance on the census they have undertaken; which besides, includes only *some* selected parishes in the south and south-west of Ireland, whereby to judge of the numbers in the whole country. In the north, where the Presbyterians are in great numbers, the Protestants predominate. Elsewhere they are in a minority, especially in the agricultural districts.

viduals most able, as they ought to be most desirous, to preserve order and tranquillity in their flocks. They ought to consider themselves as the coadjutors of the Protestant clergyman in all good works, his opponents only in theological questions. They ought cordially to join with him in promoting the education of their parishioners, not oppose by every means in their power his laudable exertions. We might pursue this picture further—but we abstain, for it is unnecessary to dilate on duties which must be manifest to all.

We have seldom read a more meagre production than the Report before us. It contains no analysis of the evidence, no expression of opinion, and the reason assigned for this defect is, that the commissioners could not agree in the conclusions to be drawn from the facts stated by their witnesses. We regret much that the dissentients, who, we understand, were Mr. Leslie Foster and Mr. Glassford, did not think fit, as in their sixth and ninth reports, to withhold their signatures, and to state at length their reasons for disagreeing with their colleagues, as their presence during the examinations must have enabled them to judge with much more accuracy of the value of the testimony given, than we can hope to do on a mere perusal of the printed pages now on our table.

The commissioners examined the president of Maynooth College; most of the present, and some of the late professors; Dr. Murray, one of the trustees; some of the actual students, and a few who, after receiving their education at this seminary, have become Protestants. We understand that the commissioners have suppressed some portions of the evidence they received, especially the whole of Mr. Hannan's, and part of Mr. Dixon's. In this, we think, they have acted wisely, as from what we believe to be the substance of the former gentleman's testimony, we should not be inclined to place much reliance on it,—and for other reasons of a peculiar nature, the publication of it was not advisable. We must, however, remark, that a more than usual latitude in correcting evidence was given to the witnesses—in certain cases, we think, far beyond what was proper, as it has enabled crafty persons, on finding their answers objectionable, to invent, with due deliberation, such explanations as might seem best calculated to remove the unfavourable impressions made on the commissioners.

The large majority of those brought up at this institution are the sons of persons in very inferior situations of life. Their previous education they can obtain at a very reasonable rate, as the rudiments of classical knowledge are taught at the country schools for a sum seldom exceeding, and often much less than 3*l.* or 4*l.* a-year. On their entrance at Maynooth 9*l.* are demanded of them, which

which are always paid by instalments ; and once placed on the foundation, they are liable to no expense whatever, except for the necessary furniture of their rooms, their clothes, and their books. Dr. Crotty, the president, estimates the value of the first at a very few pounds—the rest may cost 10*l.* or 12*l.* per annum. Their travelling charges must be very low, as they seldom leave the college, even to enjoy the short annual vacation allowed. Formerly, when those destined for orders were educated abroad, principally at Paris, Douay, Salamanca, and Rome, a much larger expenditure was required—seldom less than 40*l.* or 50*l.* a-year. Such students, it is evident, must have come from a higher class of society. It was when the state of Europe at the close of the 18th century rendered the maintenance of this system of foreign education impossible, that Maynooth was founded by the 35 Geo. III. c. 21, (Ireland.) Two acts have subsequently been passed, 40 Geo. III. c. 85, (Ireland,) and 48 Geo. III. c. 145. By these the chancellor and the three chief judges of Ireland for the time being, together with three Catholics specified by name, are made visitors—eleven Catholic prelates and fourteen Catholic laymen trustees ; the interior government of the college being vested in the president and council, all of whom, as well as the professors, are elected by the trustees. The 48 Geo. III. relates only to the legal powers of the trustees, with regard to suing and being sued, and enables them to purchase and acquire land, beyond what they then possessed, (seventy-four acres on leases renewable for ever,) to the amount of 1000*l.* per annum. They now receive from the public an annual grant of about 9000*l.*, besides two sums of 8000*l.* paid in 1795, and 5000*l.* in 1808. From donations they have property producing about 900*l.* a-year. The number of the students at the date of this report was three hundred and ninety-one, of whom two hundred and fifty were on the foundation, one hundred and ten pensioners, who pay 21*l.* annually to the college, twenty bursers, and eleven in the Dunboyne class ;* the whole of them being recommended by the Roman Catholic bishops of the dioceses to which they belong.

They are divided into seven classes, in each of which they spend

* The Bursers are those for whose education provision has been made by private individuals. The Dunboyne class ought to consist of twenty, selected from the senior scholars. They receive an annual income from the College where they may remain three years longer than the other students. The fund for their support arises partly from an estate left by Lord Dunboyne of 500*l.* a-year, partly from a parliamentary grant of 700*l.* a year, given on the understanding that there should always be twenty in that class, in hopes, we suppose, that some few students might have time to acquire general information. The trustees, however, in direct violation of this arrangement, have never kept the number complete, and have taken upon themselves to devote the surplus arising by this means to other and totally different purposes.

one year—the first is devoted to the classics; the second, to rhetoric and belles-lettres; the third, to logic, metaphysics, and ethics; the fourth, to mathematics and natural philosophy. The three next comprise the students of divinity, under the superintendence of the professors of Hebrew and sacred scriptures, of moral, and of dogmatic theology. With this ends their course of instruction, unless the student should have been elected to the Dunboyne class. By this time they have attained the age for priests' orders, as they generally enter about seventeen, and they then return, in number about fifty annually, to their respective dioceses. Undoubtedly the time occupied in their classical and mathematical education is sufficient to give them as much knowledge in those branches as it is necessary for a parish priest to possess. It does not seem, however, that the extent of their learning is commensurate with the time devoted to it. A book or two of Homer, and half a dozen odes of Horace appear to be almost a twelvemonth's employment; and their rhetoric, of which, it is said, they know something—and their ethics, of which it is owned they know nothing, fill up another year. We are, of course, unable to pronounce on the merits and learning of the professors; but were we to judge of all from the qualifications of one of them, we should not rate their acquirements high. Mr. Callan, the mathematical lecturer, was asked, if his course embraced the subject matter of the sixth book of Euclid? In his answer, he professed total ignorance of its contents. It would have been perfectly consistent with this, had the classical lecturer disclaimed all knowledge of Virgil and Herodotus, or the rhetorician, of Quintilian and Aristotle.

The instructions given in divinity require rather more particular notice. We shall presently examine into the nature of the doctrines inculcated; but we wish here to call the attention of our readers to the different portions of Scripture read, and more especially to those omitted. Of the Old Testament seldom above two, or at most three, books of Moses are read. Of the New, the greater part of the four Gospels, and the Epistles to the Romans, the Corinthians, the Hebrews, Titus, Timothy, and some of those of St. Peter. The principal omissions are, the whole of the Prophets, the Apocrypha, which are reckoned canonical by the church of Rome, the second Epistle to the Thessalonians, first general Epistle of St. John and the Revelations—parts which, we cannot but feel, require almost more than any others the explanation of an able commentator. Of these, the Prophets contain many passages relating to antichrist, which Protestants apply to the pope and the Catholic church. The two Epistles, we have mentioned, are considered as bearing strongly

on the same question, especially 2 Thess. c. ii., and 1 Gen. Ep. of St. John, c. ii. and iv. We do not affirm, that, in omitting these very important and beautiful parts of Scripture, they were solely guided by a desire to escape from the difficulty in which they would have found themselves, had they been called upon by the students to explain the passages considered by Protestants as most particularly applicable to the Catholic religion. These omissions, however, have a suspicious appearance, and we cannot avoid laying considerable weight upon this fact; the more so, when we recollect their conduct with regard to the decalogue, on which no lectures are delivered, and to which reference is seldom or never made. Indeed, in Catholic catechisms, and books of religious instruction, the second commandment is frequently omitted. We remember, in the course of the debate in the House of Commons, last year, on the Catholic question, that Mr. Peel was violently attacked for having ventured to mention this fact, and for having produced the twenty-fifth edition of a catechism, printed with the approbation of Dr. Milner, and of the four Roman Catholic archbishops in Ireland, by Mr. R. Coyne, the publisher, we beg leave to remark, of Maynooth. In this, the second commandment is omitted; but the tenth is divided into two, that the name *Decalogue* may not appear *ex facie* a misnomer, and this omission, we can safely affirm, is very usual in Ireland. We can further add, that in many Catholic countries on the continent, we have ourselves seen a vast variety of religious works, in which the decalogue is inserted in this mutilated form; and we must honestly confess that, however unjustifiable is such an alteration in the words of the Bible, we do not, by any means, consider it as impolitic or uncalled for on the part of the Roman Catholics.

In the course of their examinations, many of the professors stated, that every student possessed the Bible, and was not only encouraged, but expected to study it. This assertion, unlooked for, as we are sure it was, by some of the commissioners, was certainly calculated to impress them with the belief, that a greater liberty of investigation was allowed at Maynooth than is usually met with in Catholic seminaries. They might thus be induced to imagine, that the Bible was not a sealed book, of which small portions only were selected for comment, or permitted to be read; but that the whole was laid before the students, and they were desired to inquire and satisfy their minds. When, however, strict scrutiny was made into the facts, the result was very different. It is true, that a regulation exists, by which every student is desired to provide himself with a Bible on his arrival at college. The regulation is, however, of very recent date in the first place, and in the second place it is very negligently enforced. The fact seems

seems to be, that, before this rule was made, very few possessed the Bible; and that, since that time, many are without it; and, moreover, that the professors, though nominally encouraging the young men to peruse it, contrive that little leisure shall be left at their disposal for that object: for so restricted are they by the number of hours occupied in the public lectures, and by the necessary preparation, that they have barely time to examine those passages pointed out to them in class. Nor does it appear that the students themselves are in the least anxious to profit even by the very limited opportunities they may enjoy, as few or none ever read the Bible in private. One answer in particular struck us as most remarkable. Mr. George Chapman 'might, perhaps, in an idle mood, have taken up the volume (the New Testament) if it lay before him, and read merely to see the thing;' and another student of twenty-two 'had never read any part of it, except the Gospel of St. John.' This virtual exclusion of the Scriptures is, indeed, in perfect accordance with the doctrines of the Roman Catholic church; and if some indulgence, in that respect, is granted to those destined for orders, the same reluctance still remains to open the book to the laity. 'The church of Rome,' says Dr. Curtis, titular archbishop of Armagh, in the Appendix to the Ninth Report of these Commissioners, p. 46, 'never has yet, and most likely never will, give a formal sanction to a translation of the Scriptures into any of the vulgar languages;' and Dr. Crotty owns he apprehends danger from a use of the Bible. In unison with these feelings has been the conduct of the Catholic clergy; and reluctantly, from want of space, do we content ourselves with referring our readers to the testimony of the Roman Catholic archbishops contained in the Appendix to the Ninth Report, to which, were we not fearful of exceeding our limits, we would gladly devote some pages, as affording the strongest possible confirmation of the charges brought against them, of resisting the distribution of the word of God.

The discipline enforced at Maynooth is a question of some consequence, since much may be done in early life by a too strict or a too relaxed system of education, towards rendering the character gloomy and morose, or careless and licentious. Between these there is a just medium, difficult, perhaps, to attain, but which is not even sought after at this college.

It is avowed, that the restrictions upon the liberty of the students are greater than in any other seminary in Ireland: we have no difficulty in adding, that they are greater than in almost any other seminary in Europe. Two months in every year are nominally assigned for vacations; but a student cannot return to his home, even during that short space, without express permission from his

superiors, which is sparingly and reluctantly yielded. When in the college, out of the twenty-four hours, he has not quite three for recreation; and if he is in orders, which about half the students are, upwards of an hour out of the three ought to be devoted to reading his breviary. Moreover, except during that hour or two destined to amusement, he is condemned to profound silence, and any deviation from this rule is almost uniformly visited with the severest reprehension. Even during their time for relaxation, their liberty is far from extensive. In rainy weather, they are confined to the cloisters, though in fine they are permitted to play at ball, or possibly at prison-bars, in a gravelled court; but they are strictly prohibited from amusing themselves with foot-ball, as that game is not deemed *decorous* for lads of seventeen—a notion worthy of the great Martinus Scriblerus. Not satisfied with curtailing the amusements of the students, the superiors seek to become acquainted, if possible, with their most private feelings, and in pursuance of this desire, they claim and exert a right of searching all desks. Nay, more, they affirm that no letter should enter or leave the college till they have perused it, though they have not of late dared to enforce this unwarrantable assumption of power.

It will, of course, be readily imagined that if they are thus strict with regard to their actions, they are not less rigid with respect to the books they allow them to read. The authorities, why we cannot tell, seem reluctant to enter on that subject. Their catalogue does not, like the Index Expurgatorius of Rome, contain a list of forbidden, but only of permitted works, the number of which, as far as we can collect, appears to be very small.* We were much surprised at some which were excluded; for besides several which might have been expected, such as Gibbon, Voltaire, and the French Encyclopedie, they prohibit all works on surgery or anatomy, together with others containing what we should reckon most valuable information. The directions on this subject are most strictly enforced; expulsion is the penalty of disobedience. The introduction of newspapers is also

* We do not think it would have been amiss if the Catholic clergy in Ireland had availed themselves of the power of prohibition, with regard to some of the books used in the schools under their charge. The Bible is strictly forbidden, but the following books, amongst others, are read: The Irish Rogues and Rapparees—The Life of Captain Freney the Robber—The Garden of Love—The Feast of Love—The Effects of Love—Faublas—The Monk—The Life of Moll Flanders—Philander Flashaway—Fanny Meadows—Sir Harry Wildair—Lydia (a loose novel)—Mon Oncle Thomas—Aventures de Mariane—Liaisons Dangereuses, (the three last translated)—and Pastorini's Prophecies. In the schools in the counties of Donegal, Kerry, Kildare, and Galway, there were found sixteen catechisms, ninety-seven books on religion, and three hundred and sixty-four novels and works of entertainment, of which the above are part; which we have selected, almost by chance, out of many quite as improper. The commissioners chose those four counties at hazard, as a specimen of the whole.

rigidly forbidden by a bye-law, which is, however, completely illegal. For by the 33 Geo. III., if the trustees wish to enact any new statute, it must be submitted to the Lord Lieutenant, and it becomes law if, within one month, he does not signify his disapprobation. But with regard to the prohibition of newspapers, though the board of trustees have chosen to make a bye-law, they, for some reason not assigned, have not thought fit to transmit it to the Viceroy. The statute, as at present existing, has, therefore, no legal authority; and were a student to be expelled (the threatened punishment) for disobeying it, the visitors would of course, on appeal, immediately restore him. Mr. Dowley, however, seems to consider the reluctance of the college to expel for a violation of this statute as a proof of their kind and lenient disposition—kind indeed to the student, in enacting a bye-law, in fact illegal,—though of that he may not be aware, since no copy* of the statutes is given to him—lenient indeed in abstaining from enforcing an illegal decree, which, if enforced, must necessarily render themselves liable to heavy damages!

This is not the only instance, however, in which we observe them anxious to accommodate the authorised statutes to their wishes—not regulate their conduct by the statutes. For example: if a young man be expelled, a communication is made to the Roman Catholic bishop of his diocese, but of that letter no official copy is kept—no cause for his dismissal assigned to the young man himself. Why? ‘We cannot find it in the bond,’ is the answer. ‘The statutes do not compel us to place our reasons on record.’ Again—before a student is admitted, he ought to produce a certificate of his having taken the oath of allegiance.† But that ceremony, as we suppose it is termed at Maynooth, is almost always postponed. Why? They cannot say it is not found in the bond, but they assert that a contrary practice is more *convenient*. We can easily believe that, in many cases, (the

* Twice a year they are read in hall—few probably would understand them thus hurried over—still fewer attend to them, or thence learn what is the right of appeal. Yet expulsion follows a violation of them. Both at Oxford and Cambridge a copy of the statutes is given to every under-graduate on matriculation. He is then bound to be acquainted with them.

† The oaths are far too long to insert. The substance of the first is, to bear true allegiance to the king; to disclose any conspiracies which may come to his knowledge; to abjure the Pretender and his family; to reject the doctrine that heretics may be murdered, or that no faith need be kept with them; and that princes excommunicated by the see of Rome may be deposed; to deny that the pope has temporal or civil power in the realm; and to affirm that in taking the oath there is no mental reservation, and that no power exists in the pope to absolve from the performance of it. The second denies that the infallibility of the pope is an article of faith; or that any sin can be forgiven without true repentance. They swear that they will support the existing arrangement of property; and they abjure any wish to overthrow or weaken the Protestant Church, religion, or government.

evidence proves several instances,) it is *convenient* to explain the oath of allegiance, and especially those clauses which relate to the power of dispensation claimed by the pope, and the overthrow of the Protestant church establishment. On these points the feelings of many Roman Catholics are directly at variance with the declaration contained in the oaths. It is, therefore, of some importance to argue them into taking these oaths without apparent reluctance, since to refuse them would be a too decided manifestation of opinion. We do not mean to say that this interpretation is always publicly given, or even given by a professor; but a monitor may convey to the junior students the wishes of the superiors as to the line of conduct they should pursue, and in some cases such an explanation may have been absolutely necessary. It does not appear, indeed, that these oaths have always been very strictly construed, or very faithfully obeyed; for in 1798, so much had the spirit of rebellion spread, that when Dr. Flood, then president of Maynooth, was directed to tender an oath, as a test to discover what united Irishmen were among the students, no less than eighteen out of, we believe, not quite two hundred, left the college to avoid taking it: What numbers remained, who did not scruple to deny their treasonable connections, it is, of course, impossible to say; but if we may judge from the conduct of some of their leaders at that time, who were all 'the most candid, the most open, the most patriotic, and the most worthy of men,' (vide evidence of Mr. Sheridan, Mr. Fox, and others, on the trial of Arthur O'Connor, at Maidstone,) it would seem they did not hesitate at perjury to cover their designs. We cannot but consider it as somewhat singular that, under the strict discipline maintained at Maynooth, with the privilege of inspecting correspondence, and with the still greater powers possessed by the superiors, as the religious guides and sole confessors of the students, that the president, the deans, and the professors, should all be so utterly ignorant of the treasonable feelings and proceedings in the college as not even to think it advisable to take some steps for the discovery and repression of them, till compelled to it by higher authority. In later times the same ignorance, or the same negligence, has prevailed; for even in Emmett's rebellion, when it might have been imagined the proceedings of 1798 would have awakened their attention, no notice was taken of a treasonable toast given publicly in the hall; nor was it till after the insurrection had been quelled, that it was generally known that several of the students had been acquainted with the intended rising some time before it actually occurred.

We now come to the consideration of the doctrines inculcated at Maynooth; but here we shall totally omit those of a purely theological

theological nature, and confine ourselves to those relating to the conduct of Roman Catholics towards their fellow-subjects and towards the state. The most important refer, first, to the infallibility and authority of the pope, and of general councils, embracing the question of the Gallican liberties; secondly, to the canon law of Rome, and how far that is of authority in Ireland; and, thirdly, to oaths and vows—when they are binding, and when they may be dispensed with.

With regard to the Maynooth doctrines touching the powers of the pope—the result seems to be that even now, if he pronounces decrees *ex cathedrâ*, on questions relating to doctrine or to church discipline, as matters ‘*credenda ac tenenda*,’ he claims complete infallibility and expects implicit obedience. It would appear, however, that it is not *matter of faith* to believe in this infallibility; and the opponents of this claim assert, that before any dictum of the pope need be submitted to, it must be communicated to the whole Catholic church; but if no objection is made to it within a reasonable time by a majority of the bishops, such dictum must be received as matter of faith. But in points not pertaining to faith, or morals, it is admitted that popes may possibly err. Such seems to be the doctrine which, it is said, is taught at Maynooth. We use this indefinite language, as we are really afraid of pronouncing with too great confidence on the belief held, or the tenets inculcated, by the professors. It is said by the Rev. Dr. Anglade, Professor of Moral Theology, that it is highly probable that the pope is infallible, but equally probable that he is not so. The same Dr. Anglade considers doubts on matters of probability so improper, that he declares he never will cast his eyes on a theologian who maintains a lax doctrine on that subject. The same Dr. Anglade moreover informs the commissioners he cannot say what is generally thought at Maynooth on the matter of the pope’s infallibility, nor is he sure what is his own opinion on that subject. Dr. Slevin, Professor of Canon Law, Librarian, and Prefect of the Dunboyne Class, goes still a little further; he not only tells us that the students have not made up their minds on this question, but lets out the important fact, that he believes no Catholic bishop in Ireland has formed any opinion, still less delivered one, upon it.

The opinions given on the temporal authority of the pope are not much more decisively or satisfactorily expressed; on this head many of the answers appear to be studiously evasive. It is true, the witnesses declare they do not believe the pope *now* possesses the power of dethroning the king of England—(could they have owned the reverse?) nor do they think the Irish Catholics would obey a bull commanding them to rise in arms against their sovereign.

sovereign. This latter answer was, however, generally coupled with an expression of the witness's opinion that such a bull is not likely to be issued. It, moreover, deserves attention, that some, and *only some*, Irish priests abroad, seem to have felt any reluctance in reading the lessons for the day of St. Gregory VII., in which it is recited as a merit in him that he had deposed Henry IV. of Germany, and which are to this hour used in Rome. Two things are certain, that whatever may be the opinions now entertained or professed to be entertained by the clergy of Ireland on this subject, many popes have asserted the possession of this power; and no pope has ever, in express terms, relinquished the claim. It would be wasting the time of our readers, were we here to enumerate any considerable number of the cases commonly and unanswerably cited on this head. It is sufficient to notice the celebrated bull, 'Unam Sanctam,' issued by Boniface VIII., in which his temporal power is asserted in the plainest language, viz., '*Porro subesse Romano Pontifici omnem humanam creaturam, declaramus, dicimus, definimus, et pronuntiamus de necessitate salutis.*' That of Pius V. deposing Queen Elizabeth, and calling on the Irish Roman Catholics to assist the rebel O'Neil against her, is also remarkable, not only for the country for whose benefit it was destined, but for the *approbatur* it received. It was approved of, in the fullest manner, by the Jesuits and the doctors of Salamanca and Valladolid, than whom no abler divines could at that time be found in Europe. Even subsequent to the declaration of the Gallican clergy in 1682, many instances might be adduced. In 1741 Benedict XIV., in the bull '*Pastoralis Romani*,' excommunicates all magistrates who interpose in any capital or criminal cases against ecclesiastical persons. In 1756 he declared, that none could resist the bull '*Unigenitus*,' and his when the question had become entirely temporal, a struggle between Louis XV. and his parliaments. In 1768, Clement XIII., being offended with the Duke of Parma for some alleged disobedience, in spite of the humble requests of the kings of France, Spain, and Portugal, threatened to excommunicate him and his adherents, and exempted all his clergy from laic jurisdiction.

No pope has ever renounced the powers thus assumed; no council has ever declared these pretensions to be unfounded. We think we are, therefore, fairly entitled to argue that, though permitted to be dormant, these powers are not, in the regions of the Vatican, considered as dead. It was unquestionably difficult for the witnesses examined before the commissioners to prove that the power thus exercised was not temporal. They evade the difficulty by saying, that in such cases the pope does not act '*jure divino*,' but '*jure humano*;' that is to say, he does not depose princes because

because he has received that power from God, but because he has a temporal authority over particular states, which at some time or another have been surrendered or given to his predecessors in the holy see. This distinction is nowhere, however, made by *any pope*: we say, and we say it advisedly, that in no bull, deposing a prince, does the pope, who publishes it, assume that power solely on account of the supposed claim he may have on that state, as having been once in his actual or implied possession. Dr. Slevin confesses, he cannot positively affirm that the popes have not asserted the deposing power, *jure divino*; he adds, that many of them, though conscious themselves they did not possess it by divine authority, wished the world to believe they did. We will leave it to Dr. Slevin to settle this point with his infallible popes, who, according to his own statement, assert, *ex cathedrâ*, that they are endowed with powers to which, they are well aware, they can lay no just claim. We further leave it to Dr. Slevin to explain, how he conceives that, *jure humano*, the popes could dispose of America, and give all countries *discovered, or which might afterwards be discovered*, on the east of an imaginary line, drawn from pole to pole, one hundred leagues westward of the Azores, to the Portuguese, and on the other side of this line, to the Spaniards. It is hardly possible to conceive that the holy father virtually possessed countries, of the very existence of which he was ignorant. But admitting that in all these cases the popes were acting '*jure humano*,' the doctrine is almost equally dangerous: for there are few European and no American states over which some pope has not nominally been master, and of which, at some time or other, he has not granted investiture. Over these, it is admitted, that, *jure humano*, he has had temporal power, and therefore Pius V. did not err in deposing Elizabeth, he deriving his power, in that instance, from the surrender, by John, of England and Ireland. We beg our readers to remark, that no pope has avowed his relinquishment of this power of deposing *jure divino*, still less that of deposing *jure humano*; to this hour no pope has formally abandoned his claim to England and Ireland; and therefore, Scotland is the only part of the United Kingdom over which Leo XII. might not claim *temporal* jurisdiction—a position which, in substance, is asserted by Bellarmine, approved of by the Italian prelates, if not by many others, and not resisted by any who sustain the ultramontane doctrines.

These doctrines are, indeed, directly opposed by what are termed the Gallican Liberties, which are contained in four propositions drawn up by the French clergy in 1682. The first very clearly denies the temporal power of the church; the second insists on the supremacy of general councils over the pope; the third

third affirms, that laws and usages in the Gallican church, and also in others, should subsist without variation; and the fourth, that the judgment of the pope is not above being reformed or revised, unless it has obtained the assent of the church. To these tenets all were obliged to subscribe who took degrees at the Sorbonne, and few, if any, of the French prelates ever disputed their justice and propriety. It has so often been said, that the Irish clergy also had agreed to them, that we really supposed this to be the case; and we have consequently been surprised to find that the policy of that church has uniformly tended to support the transalpine doctrines. We do not in the least doubt that such is the case—notwithstanding the equivocating answers of Dr. Slevin, who *imagines* that the Roman Catholic bishops do assent to them; for, when the only bishop* who appears as a witness is examined, (Dr. M'Hale, bishop of Maronia and coadjutor bishop of Killala,) he states, distinctly, that he does not approve of those doctrines; that when he was professor of dogmatic theology at Maynooth, he never taught them; and during his whole residence there, (seven years as student and eleven as lecturer,) he never heard them inculcated.† In this he is supported by various other witnesses, who add, that even Dr. M'Hale's predecessor, Dr. Delahogue, an emigrant Frenchman and a doctor of the Sorbonne, where he must have subscribed them, did not attempt to urge these particular tenets. Who can doubt that this person's conduct in thus surrendering his own opinions was influenced by the knowledge he possessed of the secret, if not the avowed, wishes of the trustees?—particularly when it is observed that, for six years, Dr. M'Hale acted as Dr. Delahogue's assistant. No more then, we think, need be said to prove that the Irish church does not, as a body, admit these articles, or permit them to be taught.

Although these articles are thus hostile to the supremacy of the pope, they admit that great authority pertains to general councils; and as by them many important decrees have been promul-

* Dr. Murray was examined, but not on theological questions.

† The passage in Dr. M'Hale's evidence on this subject is too long for insertion. Our readers will find it in p. 317. Two sentences, however, we must extract:—'I wish distinctly to declare, that we did not adopt what are generally called the opinions of the Gallican church, contained in the four propositions of 1682—which, if pressed to the consequences of which they are susceptible, would appear to be subversive of the due independence of the church.' 'I may further state, as a fact, that in the full sense of the term, they never were taught in the College of Maynooth. Nay, Dr. Delahogue himself, a native of France, showed one of those minds that are superior to prejudices of country or of education; and content to follow the defined line of Catholic doctrine, he did not obtrude particular opinions on the college.—I should also say, that the introduction of all the propositions of the Gallican church would seem to me to lessen the salutary influence of the Roman pontiff, which we consider necessary for the interests of religion.' Dr. M'Hale is, at all events, fair and explicit.

gated with reference to temporal as well as to spiritual affairs, it was highly necessary to inquire into the doctrine respecting them, taught by the professors at Maynooth. We think that doctrine is,—that councils are superior to the pope; that their decrees on matters of faith are infallible and immutable; and that, as such, they must be admitted by the bishops, without hesitation or delay. It would seem that, in temporal affairs, they have less right to expect implicit obedience. Yet, as often as they have interfered in such matters, and few councils have confined their attention exclusively to spiritual concerns, they have uniformly enforced their mandates. It was inquired, how far such conduct was justifiable; and the answer, doubtfully given by some witnesses, more positively by others, was, that as, in all councils, many sovereigns were present, either personally or by their ambassadors, those decisions which trenched on temporal matters were to be considered as the acts of the whole assembled persons, not as the acts of ecclesiastics alone, or of the assembly as an ecclesiastical assembly. The censures of the church, too, which were always declared to impend over the heads of those who disobeyed their orders, were, it is said, only intended as in aid of the civil authorities, on whom fell the charge of executing those decrees: for, as is laid down in a class-book at Maynooth: ‘*Multa sunt decreta quæ non pertinent ad invariabilem fidei regulam, sed sunt accommodata temporibus atque negotiis.*’ On this we will make but one remark: that, as this very plea was held to justify the crusades against the Albigenses and Valdenses, as well as the execution of Huss, we should like to know whether, even now, any strong declaration of authority by a council against those whom they would term heretics, provided it were supported by sufficient force, would not be held to be ‘*accommodata temporibus atque negotiis*’? As Romish divines, almost without exception, have defended the doctrines laid down by general councils and the conduct they pursued, the professors of Maynooth were obliged to follow the same line. They appear, however, to feel, that the task was not devoid of difficulty; and we recommend our readers to peruse with special attention that portion of the evidence of Dr. Crotty and Dr. Slevin, which relates to the fourth council of Lateran, and the council of Constance. In the first of those, a crusade was published against the wretched Albigenses and Valdenses; all vassals were released from their obedience to princes who supported those sects; and all persons were excommunicated who should not, within twelve months, exterminate the heretics within their reach. When Dr. Crotty was pressed, with respect to this gross interference with temporal rights, he sheltered himself behind the explanation we have just given, and affirmed that

that this decree was the work of *the laity*—but Gregory IX. has thought fit to insert it among his decretals, and thus made it canon law! Even were we to admit this excuse, with reference to the fourth council of Lateran, it seems to us utterly impossible to apply it with justice to the council of Constance. That council was originally summoned to decide upon the conflicting claims of the three pontiffs, Gregory XII., John XXIII., and Benedict XIII. They all asserted superior power; each excommunicated the adherents of his two rivals; and thus, at one time, the whole Christian world lay under this severe sentence. Before this council John Huss was ordered to appear, for having propagated Wickliffe's doctrines in Bohemia. Not trusting to his enemies, who composed the majority in the council, before he left Prague he obtained a safe-conduct from Sigismund, which commanded all persons within his dominions (and Constance was an imperial city) 'to let him (Huss) freely and securely *pass, sojourn, and return.*' Notwithstanding, soon after his arrival at Constance, he was arrested, and after about six months' imprisonment, convicted of heresy by the council. He was degraded, and then delivered over to the secular arm for punishment; and, accordingly, without other trial, and solely in consequence of the sentence of the council, on July 7th, 1415, he was burnt alive. Strong remonstrances having been made by the Bohemians, and much blame having been cast on Sigismund and on the council, they, in their defence, declared 'that this most mighty prince,' (Sigismund,) 'in his treatment of John Huss, notwithstanding the foresaid safe-conduct, did aright that which was lawful and becoming; and whosoever should detract from this sacred council or his royal majesty, or in any manner speak evil of them on account of their acts in the affair of the forementioned John Huss, should be punished without remission as a favourer of heretical pravity, and guilty of the crime of lese-majesty.' The commissioners were anxious to know how far the conduct of this infallible council was justified and supported. The question was, indeed, perplexing, as the trial and condemnation were purely spiritual; and it seemed not a little unjust to blame the secular power for carrying into effect the punishment which the council had virtually decreed, since declaring Huss a heretic was, as they well knew, in fact condemning him to the flames. But as no good Catholic could censure the proceedings of so orthodox a council, which had deposed three popes, Dr. Crotty and Mr. Higgins, the present professor of dogmatic theology, thought it much more advisable to justify than to blame the conduct of the council. They affirm that the words of the safe-conduct only protected Huss on his road to Constance, and did not guarantee his return; that even if it did, that protection

tection being injurious to the Christian religion, and derogatory to the rights of the church, it was unlawful, and therefore the council was not bound to observe it ;* and that his death was not by order of the spiritual authorities. The reply may be short. In the first place, the safe-conduct covered his return in the most explicit terms, —next, such a defence is substantially admitting that no faith need be kept where heretics are concerned, since heresy may always be considered injurious to the true Christian religion, and the support of it derogatory to the rights of the church,—and lastly, that the council did virtually, if not in words, *order* the execution of Huss. We cannot but think it would have been more prudent in our gentlemen of Maynooth not to have so warmly defended such transactions as these.

The most important question arising under the head of canon law, is the claim made by Catholics over whatsoever property has once belonged to the church, and has been alienated from it without the consent of the pope. The whole revenues of the Protestant church in Ireland are in this situation, and our readers must be well aware that the claim alluded to has often been asserted in no unambiguous terms, if not by the prelates of the Catholic church, at least by many who are supposed to speak their sentiments, and whose exertions have received the repeated thanks of the assembled clergy as well as of the laity. On this point there seems no doubt, that the popes have uniformly, at least from the time of Paul II., claimed the right of interference in the disposal of church property, nor have they ever admitted the legality of any alienation to which they had not assented. They further lay down as a principle, that whoever, without their approbation, has acquired church property, whether by confiscation, by purchase, or by inheritance, be he Catholic or heretic, is bound to restore it without compensation, as soon as it can be made available to religious purposes. This claim has been advanced in many cases ; but we shall mention only two or three of late occurrence. Clement XI.,

* The words of the council are, ‘although by natural, human, or divine law, any faith or promise which is prejudicial to the Catholic faith need not be kept.’ Dr. Crotty, in vindicating the council, is somewhat embarrassed with these words, as he cannot, of course, directly admit that no faith is to be kept with heretics ; he, therefore, chooses to imagine that they have reference solely to unlawful promises. This does not materially alter the case ; for as it rests with the Catholic church to declare whether a promise is lawful or not, it still enables them to violate their oaths, and then shelter themselves by declaring that the oath was in itself unlawful. Thuanus, whose works Dr. Crotty, by the bye, has never read, says that the divines in his time publicly contended that no faith was to be kept with heretics, and defended their assertions by the authority of the council of Constance. The third council of Lateran asserts this same proposition. It says, in the twenty-seventh chapter, ‘That all those who are any ways bound to heretics should consider themselves absolved from all fidelity and obedience to them, so long as they persist in their iniquity.’

in a letter to Augustus II., king of Poland and elector of Saxony, assures him that, as a recompense for his exertions in propagating the Catholic faith, he will not demand from him, nor his *Catholic* successors, the restitution of the confiscated estates of the church in Saxony; 'nay more,' he says, 'to appease the consciences of those who possess them, if, having abjured heresy, they determine to *return to the Catholic faith*, we shall *make over to them* for ever all the aforesaid property.' Clement XII. confirmed this brief, and added, *as a gift*, under similar conditions, the income which the actual possessors had, up to that time, derived from those estates. Benedict XIV., in a most elaborate bull, with reference to the property at Antibaris, which had been seized by the Turks, expounds this doctrine at great length; and although he concludes by refraining to give instructions to the Archbishop of Antibaris, till he has obtained further information, it is evident he adopts the principle we have mentioned, and is only doubtful whether the principle applies to the case of Antibaris. In the same spirit, Pius VII., approving of the concordat of 1801, assents to the past sales of the church property in France, for the sake of restoring tranquillity to that country, 'et ut, quod potissimum sit, felix Catholicæ religionis restitutio fiat.' From these instances, and we might easily cite many more, it is evident, that the see of Rome to this hour asserts this claim; and could not allow that the Protestant Church has any legal right to its property, except that, having enjoyed it one hundred years, it is possible, but not certain, that it might plead a sort of statute of limitations. Dr. Slevin, evidently agreeing with this doctrine, states, that he considers 'the original spoliation of his church as unjust—but that, by lapse of years, that, like other usurpations, has become sanctified by time.' The candid Doctor adds, he cannot fix the time when that transfer became lawful. We think we could, however, point out the moment when the resumption of the property in question would take place. The witnesses examined by this commission durst not, indeed, express certain feelings, or certain expectations, whether they entertained them or not. But when we read the pamphlets *

now

* In a letter from Dr. Doyle to Lord Farnham, under the signature of J. K. L., we find the following passages:—'I think the church establishment (in Ireland) must fall sooner or later; clamour, bigotry, enthusiasm, and a spirit of selfishness, constitute its present chief support. If some such man as Burke would arise and free the nation from the reproach of the Irish temporal establishment, he would relieve religion from an encumbrance, and the laud of the country from an intolerable pressure. The concession of the Catholic claims would hasten the desirable result. We in Ireland have been accustomed to view it from our infancy, and when men gaze for a considerable time at the most hideous monster, they can view it with diminished horror; but a man of reflection, living in Ireland, and coolly observing the workings of the church establishment,

now almost daily published, (and to one of them, by Dr. M'Hale, we shall presently call the attention of our readers;) when we listen to the furious declamations of their leading demagogues, and when we perceive, even in their examinations before these commissioners, their reluctance to allow due rank to the Protestant prelates, whose titles they give to their own clergy, we are compelled to believe, that the Romanists of Ireland are but waiting for a favourable movement to realise an old and cherished design of overturning the Protestant establishment of that country.

It was readily avowed, that the pope and all his prelates still claim and possess the right of excommunication. Nor does the pope allow that Catholics only are liable to excommunication. For as Protestants are baptized they are Christians, and are, therefore, subject to the spiritual censures of the Catholic church, a power expressly claimed in the bull 'Singulari Nobis,' issued 1749. They are, indeed, often included in those bulls which excommunicate whole classes at once, such as 'Pastoralis Romani,' 1741, by which these censures are inflicted against all who assist infidels or heretics in carrying on war against Catholics; 'Cœna Domini,' 1741, which was annually published at Rome till 1773, excommunicating all persons who 'directly or indirectly, tacitly or expressly, procured, passed, or enacted statutes, ordinances, or any other decrees; or who adopted them when passed, whereby ecclesiastical liberty is destroyed, injured, or infringed, or our rights, or those of any church, are in the slightest degree prejudiced,'* &c., &c. Dr. Slevin kindly assured the commissioners, he did not think it probable that the present pope would re-issue this last bull; but at the same time confessed, that, were His Holiness to publish it, he would not be exceeding his legitimate rights. In later times, Dr. Troy excommunicated the United Irishmen; and if this power had never been exercised for a less justifiable cause, the world would not have had much reason to complain of its existence.†

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blishment, would seek for some likeness to it only among the priests of Juggernaut, who sacrifice the poor naked human victims to their impure and detestable idols.' Such language needs no comment. It comes from the pen of a man, we beg to remark, whose evidence before the committees of the lords and commons was quoted as a proof of the conciliating spirit of the Catholic church. He was then on his guard, but his real feelings at length break out. In a somewhat similar spirit is a paragraph in an avowed organ of the Catholic Association—the Dublin Evening Post of October, 1827. In it we find these words: 'Dr. Elrington, who, as our readers will observe, holds in *partibus* one of the dioceses under the charge of Dr. Doyle—the Protestant bishop of Ferns being a bishop in *partibus infidelium*, and his diocese being under the charge of Dr. Doyle! Need we say more?

* We do not quote those bulls as being actually enforced at present, but as showing the tone of the Catholic religion, and the power claimed by the popes.

† The conduct of the Catholic parish-priests during the last general election in Ireland is the best possible commentary on these claims. Though they are not, in fact, entitled

In defence of such measures they argue, that these spiritual censures are merely in support of the civil law, and that it being very difficult to draw the line where temporal authority begins and spiritual ceases, it is unjust to charge the consequences on the church. This may be true to a certain extent, and we might allow some weight to the excuse, did we perceive that these bulls of excommunication were issued at the request of the civil power; but, on the contrary, we remark, that most of them are directed against temporal princes, and that many, such as 'Cœna Domini,' have been warmly, seldom indeed successfully, resisted by the laity. We must, then, consider the issuing of excommunications by the pope and his prelates as a direct assumption of temporal power, and regard the reason assigned merely as a proof that they still continue to pursue that system of evasive reply and Jesuitical defence by which, in all preceding times, they endeavoured to conceal their encroachments and protect their assumed privileges.

We have reserved to the last the question regarding oaths and vows, and the dispensing power of the pope. For if such a privilege were claimed and exercised by the one party, believed and acquiesced in by the other, all bonds of public or private society would be burst asunder, and even life itself would cease to be protected. We were not surprised then to find that the witnesses, in general, at first declared they felt themselves, in every case, bound by their oath; but, upon further examination, there appeared no slight degree of casuistry behind. In all Protestant countries the sanctity of an oath is most expressly inculcated, and the strongest reluctance is shown to admit as valid any excuse for the violation of it. Such certainly ought to be the conduct pursued in the education of youth. Such is not the course adopted at Maynooth: for there they exercise their whole ingenuity in discovering causes which may authorize the violation of an oath. They reckon seven '*causæ excusantes*,' and five '*causæ tollentes*,' each, with true scholastic precision, divided into several heads, and the whole summed up with an assurance that such ought to be the belief of every true Catholic. Some of these twelve reasons are sufficiently obvious, such as impossibility, illegality, and the remission of the promise by the person to whom it was made and whom it was to benefit. But, among other causes, we find it asserted, that it is lawful to break an oath, if, by not fulfilling it, you think you shall be able to do greater good than by keeping it; or if the person swearing limits his obligation

entitled to pronounce excommunication of their own authority, the lower freeholders believed they were, and therefore took part with them against their landlords, or else submitted to the refusal of the sacraments, and if tradesmen, in many cases, suffered total ruin by the loss of their Catholic customers

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(vel etiam tacita et subintellecta,—is not this mental reservation?) or if, being previously bound to a superior, such as a superior of regulars, and, à fortiori, the pope, he (the superior) should object to the oath; or, if the person to whom either the individual who has taken the oath, or the matter concerning which the oath is taken, is subject, (persona jurans vel materia juramenti,) should think fit to make void the obligation—*etiam sine causâ*. We cannot but consider the latitude, we may say the encouragement, thus given to violate oaths as sufficiently hazardous even to persons of mature years and intellect: what are we to think of it in the case of college-striplings, the children of Irish peasants? In every doubtful case, the clergy are to be referred to as sole arbiters. It is true that they attempt to explain many of those excuses by referring them to cases of religion, such as vows; but, intermingled as temporal and spiritual matters are by Catholics, this defence is by no means sufficient to remove all the difficulties with which they have surrounded themselves. For instance, if any regular, such as a Jesuit, be examined on oath, and questions are put to him, the correct answers to which might be prejudicial to his order, it is not clear whether he might not feel himself obliged by the command of his superior to deny the truth. It is certain, that if the matter concern the community in a religious point of view, the superior may make void any oath the monk may have taken. And even with regard to the oath taken by the Roman Catholic prelates, Dr. Slevin desired time to consider before he would pronounce whether, if a bishop became acquainted with the secret of his sovereign, which might affect the power of the pope, he was not bound forthwith to disclose it, however apparently at variance with his oath of temporal allegiance. Nor must we omit to mention that though ‘equivocationes *strictè dictæ*’ are prohibited, not the slightest blame is attached to ‘equivocationes *latè dictæ*.’ The one may be more criminal than the other; but we are at a loss to imagine, how either can be reckoned harmless.

In addition to these twelve causes, and these permitted equivocations, there is yet another power still more efficacious—the power of dispensation possessed by the pope. ‘Existit in ecclesia potestas dispensandi * in votis et juramentis,’ is a proposition broadly laid down in one of the class-books at Maynooth, without any qualification, unless we consider as such a detached paragraph occurring twenty pages before, which admits the common good to be a reason for not dispensing with an oath; but even to this

* Some divines imagine that ‘potestas dispensandi’ merely means the power of explaining away the meaning of a vow or oath. Others hold it to be actual dispensation; the result is precisely the same: the latter doctrine is that taught at Maynooth.

exception, four counter-exceptions are made. The doctrine, however, as stated by Dr. M'Hale, is, that the pope has the decided power of dispensing; first, for the honour of God; secondly, for the utility of the church; thirdly, for the common good of the state; and fourthly, for the common good of society,—under which four heads it seems to us that every possible case may come. And, whenever any doubt may occur, especially should it relate to religion, the pope is to be the sole judge; but he is to use his judgment for edification only. No general council imposes any limit whatever on this right of dispensation; and the reason assigned by Dr. M'Hale for this most extraordinary latitude given, is, that the bishops, in council assembled, thought it unwise to be troubled with unnecessary suppositions, as they knew that the lines of duty were too well defined for the pope to overstep them. As, however, popes have availed themselves of this dispensing power even to the extent of absolving subjects from their allegiance, and as no council has thought it *necessary* or *wise* to blame such exercise of the pontifical prerogative, we doubt whether any council has considered the stretch of power as unwarrantable, and whether later popes have had any but prudential reasons for abstaining from the like. We feel ourselves justified, then, in believing, that however this right may now be explained and modified by schoolmen and divines, and however difficult it might now be to enforce obedience to it, the power in its fullest extent has existed—has never been abandoned, and the claim may, we do not say will, be revived. Nor should we forget that, as general councils are all supposed to be inspired, so that no solemn decision of theirs can be contrary to Scripture, if any particular doctrine be propounded, every Catholic must admit that promulgation as conclusive evidence that the doctrine exists in Scripture. The total omission, then, of any restriction on this overwhelming power is, we think, quite decisive proof that, by the theory of the Romish church, the exercise of it is considered in perfect accordance with the word of God. We are not singular in coming to this conclusion; for several of the witnesses declared that they, in common with others, assented to the doctrine we have laid down, and many cases have occurred in which a similar impression has been conveyed. We remember one instance in particular: whilst at Rome, a few years ago, we were informed by an Abbé of high character, that he had been applied to by a Frenchman, of birth and family, then in the imperial service, and who has since been prefect of a department, (we omit the names, as the parties, with both of whom we are well acquainted, are still living) to obtain for him, from the pope, in the first place, a dispensation from his oath of allegiance to the emperor, and in the

the next, absolution for a crime he intended to commit, namely, the murder of Buonaparte. The Abbé declined to interfere, and the plan was accordingly dropped. We have no doubt of the accuracy of this statement, which we pledge ourselves to have given as we received it. If such can possibly be the feelings of any persons of education, and this individual was a gentleman of elegant accomplishments and strict religious principles, what can we expect from the miserable peasantry for whose edification the students of Maynooth are fed and taught, under the patronage of this Protestant government?

The substance, then, of the doctrines taught at Maynooth seems to be this,—that with regard to the infallibility of the pope they decide nothing; that his bulls ought or ought not to be received; and that he is either superior or inferior to general councils; that parts of the canon law are binding, and parts not, but which they cannot exactly say; that oaths may be dispensed with in many cases, but what those cases are it is not easy to define. The only point which is quite certain is, that they do not admit the Gallican liberties. With regard to the details, we must refer our readers to the preceding pages, and to the evidence itself. They may judge from thence whether the doctrines inculcated at Maynooth are likely to produce useful parish-priests, honourable neighbours, and loyal subjects. Anxious as the professors seem to be to gloss over such unpleasant matters, they feel it difficult to conceal the facts, that strong disapprobation at the amount of the revenues of the Protestant church is frequently expressed; that an ardent desire to see it overthrown is often manifested; and that the dissolution of the Union is a question much agitated and warmly supported among the students of Maynooth; and truly the fruit appears to be worthy of the tree.

We cannot close without adverting to two minor points: the Letters of Hierophilos, and a society existing in the college, called the Sodality of the Sacred Heart of Jesus. We should not have thought it necessary to distinguish the Letters of Hierophilos from other ephemeral productions of the same violent description, had they not been attended with very peculiar circumstances, which would almost induce us to devote a separate article to the subject. One of the statutes of Maynooth requires that no professor shall, while he remains in office, publish any letter, pamphlet, or book, without the sanction of the president. Dr. M'Hale, however, thought fit to disregard this injunction, and wrote, besides other political tracts, these letters of Hierophilos; under his especial direction they were circulated among the young men of the college, who were well aware of the real name of the author. Moreover, he thought fit to present to the President, Dr. Crotty, a copy of this

pamphlet, as a special mark of his regard. Dr. Crotty, however, does not think he was bound to inquire into this transaction, which he allows to be a violation of the statutes, because he had no legal proof that the letters were the production of Dr. M'Hale. He appears totally to forget that the printer could easily have supplied the deficient link in the evidence. To us it is a novel doctrine, that the president of a college ought not to commence an investigation when he knows that an important statute has been broken, but is to wait till the offence is voluntarily confessed. Is it uncharitable to believe that Dr. Crotty chose to overlook this act, most unjustifiable as regards itself, and most injurious as regards example to the students, because he entered into Dr. M'Hale's views, and approved of the sentiments contained in his pamphlets? Dr. M'Hale, by some strange argument, which we do not profess to understand, tries to prove that by affixing to them a fictitious name he avoided coming within the statute. The law, forsooth, applied only to the Reverend Dr. M'Hale—not at all to *Hierophilos*! We do not like to charge this Reverend Doctor with perjury, lest it should be considered libellous; but we know not how to use milder terms than to say that he was guilty of a wilful and deliberate violation of his oath, he having distinctly sworn 'carefully and faithfully to preserve all and every one of the statutes and regulations of this college.*' There are but two lines which he can follow in his defence—either that he took this oath with a mental reservation; or, that imagining his keeping this oath might be disadvantageous to the church, he thought fit to grant himself a dispensation 'per tertiam et septimam causas excusantes.' We must also remark, as most *curious coincidences*, that the first of these letters was published the very year this Doctor was elected professor of dogmatic theology—the lecture-ship most connected with the points he discusses in his pamphlet; and that as soon as it was universally known that he was the author of these publications, the Irish Catholic clergy renewed their postulation to Rome to have him appointed to the rank which he at present holds—that of coadjutor-bishop of Killala, *cum jure neccessionis*.

We have neither space nor patience to discuss at length the sentiments contained in these letters. In Dr. M'Hale's evidence he admits and justifies every word and every expression. The substance would seem briefly this: he considers crime to increase in proportion to the circulation of the scriptures by Bible Societies. Many, if not most, Protestants are attached to their religion solely from interested motives. All clergymen of that persuasion he

* Of these the following is one:—'Si quis omnium libros scriptave evulgaverit, edentibusve conscius fuerit, Præside et inscio et improbante, exigitor,'

would fain reckon as laymen; he gives no titles to our prelates, and styles them 'officers removable at pleasure.' The Protestant establishment he thinks most mischievous; their right to tithes is very questionable, to say the least of it, in England, much more so in Ireland; and the confiscation of their property would be an act most beneficial to the country. He says, that 'if the legislature were to adopt such a course as the abolition of the Protestant establishment, he and other Catholics would consider it very wise, from the respect they bear to the legislature.' He subjoins an inquiry, what Protestants would have done had they been in the present situation of the Irish Catholics?—why rise in arms, he answers, to defend their rights; and he sums up the whole with a strong insinuation of 'Go thou, and do likewise.' He is asked whether these Letters contain the full extent of his opinions on 'the rights and stability of the Established church.' With some difficulty the commissioners drag from him this reluctant reply: 'Such a question regards *interior sentiments*—human tribunals only judge of *external* actions and *opinions*.' On this answer we need make no remark; it speaks for itself: nor need we ask what effects the eleven years' lectures of a man of considerable talents, actuated by such *interior sentiments*, must have been calculated to produce? It may be said such are the sentiments only of a single prelate, not of the Catholic clergy in Ireland; but when we find others, and especially Dr. Doyle, their ablest leader, uttering similar opinions; and when we find disapprobation of the conduct of the Doyles and the M'Hales expressed by none, collectively or individually, we must attribute to the Irish Roman Catholic bishops as a body full and entire concurrence with Hierophilos and J. K. L. Of their prudence, their justice, and their loyalty, the British nation may judge. What language some Catholics hold, what sentiments they avow, is now known. By many that conduct is justified, by all openly or tacitly commended.

The last topic we shall notice, is the Sodality of the Sacred Heart of Jesus, established a few years ago by Dr. Murray. In itself it seems to be merely one of those fanatical and mystical societies so common in Italy, by means of which gross superstition is encouraged under the pretence of abstracted piety. This society is, however, remarkable for having been supported by the ex-Jesuits when their order was abolished, as a means of perpetuating their influence, and of paving the way for their re-establishment. The system of devotion practised in it is replete with absurdity, and the whole history of its origin only equalled by the rhapsodies of the Sœur Nativité. In Tuscany, Scipion de Ricci, Bishop of Pistoia, a distinguished prelate, warmly opposed it, for which he was severely condemned by Pius VI.

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He persevered, however, in asserting that it was connected with the Jesuits, and was most pernicious in its effects on the minds of its members. In fact, in proportion as that order has regained power, so has the Sodality increased; and this much is known even to Lady Morgan; for in a strange farrago of ignorance, licentiousness, and jacobinism, lately published by her, called 'The O'Briens and the O'Flahertys,' in some of the very few intelligible sentences we could discover in the whole four volumes; she alludes to this fact as one which cannot be disputed. It must, therefore, be a matter of great suspicion, when we find this society suddenly introduced at Maynooth, soon after Mr. Kenny, an avowed Jesuit, had been elected vice-president, and immediately after Dr. Murray had visited Rome, where the general of that order resides. The connexion is strenuously denied by our witnesses; yet, strangely enough, they allow that several of the superiors,* and two hundred students, are members of the Sodality. Nor is it less singular, that Dr. Crotty, and the other witnesses, betray a remarkable unwillingness to allow that they knew that Mr. Kenny was a Jesuit. 'He did not know whether he doubted it or not—he had never asked him—he had it only from public fame,' says Dr. Crotty; and Dr. Anglade 'was not sure that there were any Jesuits in the country, because he had no legal proof of the fact.' Yet both doctors were at last forced to admit, that they were perfectly well aware that Mr. Kenny and his ten brother professors at Clongowes, a seminary only a few miles distant from Maynooth, all belonged to the order of Loyola.

With regard to the conclusion to be drawn from this mass of evidence, we shall say nothing. If the result of this system is thought likely to be beneficial; if experience has shown us that the effect is good—so be it, FLOREAT MAYNOOTH! Let the system under which one thousand two hundred, as we believe, of the Roman Catholic priests now officiating in Ireleand have been trained for their functions, be fostered and maintained.†

* Dr. Crotty owned only to eighty students, and no superiors. The reverse was proved by the dean who kept the register. Why this uniform reluctance to speak the truth?

† We think it right to say, that the above article was printed before we had an opportunity of perusing Dr. Philpotts' 'Letter to an English Layman, on the Coronation Oath,' &c. In that work—a work worthy of the better days of the church and the language—the reader will find the affair of Hierophilos treated with the fulness which its heinousness merits.

ART. VIII.—*A Letter to the Right Honourable the Earl of Aberdeen, K. T., President of the Society of Antiquaries, on the Expediency of attaching a Museum of Antiquities to that Institution.* By James Heywood Markland, Esq., Director of the Society of Antiquaries, &c. London. 1828.

MR. MARKLAND, in this very able and well-written address, fully proves, that, according to the original scheme of the Antiquarian Society, it was intended to establish a museum, where the monuments of ancient days might be placed under the care of the learned body instituted for the purpose of expounding their meaning and elucidating their history.

‘I deem it,’ he then continues, ‘an idle task to dwell at length upon the benefits that would result from such a repository. “Officers of State,” the class of persons first enumerated by Wanley, might not, as he supposed, derive much benefit from it, as we have abundant proof that the ministers of Queen Anne had more leisure than those of the present day: but to how many other classes of persons might it not prove a most useful and interesting place of resort? Not only would it afford information and assistance to the professed antiquary, but to all who are attached to historical researches, or to whom the progress of art, and the habits and customs of past ages, are subjects of attention. England has displayed a becoming zeal in accumulating the treasures of her early literature; and the natural productions of her own and of other climates have been classified and arranged with all the skill that science could render to so laudable an undertaking. The foundation has also been recently laid for a national gallery of paintings. Why, then, should not some effort be made to collect in one spot specimens of the antiquities of this kingdom, than which no collection could, with greater propriety, be styled a *national* one: as, by its means, the habits, arts, customs, and manners, of our forefathers would be at once correctly and vividly illustrated? In certain classes of antiquities, individual exertions have done much: extensive and valuable collections of coins have been formed by noblemen and private gentlemen. The late Mr. Barrè Charles Roberts, aided by his father’s liberality, acquired the principal part of his collection, at the cost of more than four thousand guineas, before he had attained the age of sixteen; and the splendid armoury formed by Dr. Meyrick is no less creditable to the liberality and perseverance, than to the discrimination of our learned associate. Where so much has been done by one, what might not be expected from the exertions of many congenial minds, each devoting itself to the promotion of one and the same object?’

‘It may perhaps be said, that studies of a very opposite character to those of the antiquary, now occupy public attention; and that, amidst the more important inquiries of the present age, a museum of antiquities would not become an object of general interest, as not contributing to the advancement of those scientific pursuits which are fostered

fostered with such unprecedented zeal and liberality. But, on the other hand, it may be urged, that the true philosopher will hesitate in undervaluing any researches which are calculated to elicit truth, and which, when wisely pursued, cannot fail, like those of the antiquary, powerfully to interest our nature. The obligations that learning in general owes to them cannot be disputed, nor how much of value a refined period has borrowed from the productions of darker ages; nor, again, can we pretend to determine what further important results may yet be derived from diligent and well-conducted inquiries. But, if antiquarian studies and antiquarian objects are henceforward to be slighted by the public; if nothing is to be judged of value, or worthy of serious pursuit, that is not attended with evident and palpable profit, —then it is, in a more especial manner, incumbent upon the society to step forward, and rescue whatever is intrinsically valuable and curious from perishing by violence and neglect. It will thus signally fulfil the objects for which it was founded; and, by thus acting, it will confer a lasting obligation upon posterity.*—p. 8-10.

In considering such a proposal, the first point of inquiry ought perhaps to be what Lord Coke terms the exclusion of a conclusion; viz. the class of antiquities which ought to be rejected; and if, as we hope, we shall see Mr. Markland's plan effectually realized by his zeal and activity, we submit that it will be a sacred duty on the part of the Curators of the museum, to refuse any statue or specimen, detached or removed from any structure sufficiently stable to ensure the reasonable protection of its contents. There are few spectacles more rueful than the historical relic torn from the time-honoured walls to which it belongs, and turned into a show: the pendants and pinnacles of the Gothic hall ornamenting a 'Chinese dairy,'*—the brass torn from the gravestone, and standing bolt upright between a Waterloo cuirass, and a spear from Otaheite;—the shattered panes of the 'storied window' suspended from the sash-frame,—all bespeaking, not a rational affection for antiquity, but the destructive eagerness of the child. The extent of the mischief which can be committed by a diligent *collector* of this class is incalculable. The receiver is as bad as the thief. The museum, therefore, must not participate in such felonies; and the Directors must prove to the world that their collections are to lead to rational investigation, and not to satisfy idle curiosity.

What, then, may the Museum possess by lawful title? Inscribed monuments, whether Roman, British, or Runic, constitute a class of antiquities of great importance; and which, for the want of a proper repository, are constantly devoted to destruction. With respect to Roman monuments, we have heard it observed, that, in

* The ornaments of the splendid council-chamber, adjoining Crosby Hall, have been so applied within the last few years, and the room itself turned into a workshop.

general,

general, they are rude and of no value as specimens of art. It may be so; but every inscription is to be considered as the leaf of a book—which, if it records only a single name, preserves a fact, which may be of the greatest importance to the inquirer. And if English history should ever be prosecuted as a study, and not as a tale, the political geography of Roman Britain, for which inscriptions generally afford the best, and often the only evidence, will, probably, be found to have had no inconsiderable effect upon the formation of the territorial governments of the Anglo-Saxons. Where the originals cannot be obtained, casts should supply their places. Drawings of inscriptions are most delusive guides; and whimsical examples might be afforded of the hallucinations of the antiquary, mistaking the mistakes of the illiterate draughtsman for the genuine characters of the original sculptor, and reading with the utmost confidence what never existed to be read.

Weapons, ornaments, and all the various articles of the suppellectile class, require a public and notorious depository. If they are composed of the precious metals, they speedily find their way to the crucible; if they are of less valuable materials, they are tossed about from hand to hand—some are transferred from the virtuoso to the dealer, and lose all their value by their dispersion, or are neglected, spoilt, and destroyed. Of the fate of such articles, the annals of the Society afford a curious example. During the presidency of Lord Aberdeen's predecessor, several gold armlets, or bracelets, richly chased and of a very singular and unusual form, were discovered in Ireland, and exhibited to the Society. The singular style of these ornaments declared their origin. Bracelets, or armlets of gold, have been preserved amongst the regalia of England, from time immemorial; and they also constituted a favourite decoration amongst the northern warriors. Each of the knights who manned the ship presented by Earl Godwin to Hardicanute wore golden bracelets of the value of sixteen ounces.* The *Beah*, or *Beage*, a term derived from the verb *Bizan*, to bow or bend, and from whence the French *bague* is formed, seems also to have supplied the place of current coin; or, rather, it afforded a convenient mode of making a gift of value, just as Sovereigns now present a diamond ring or a snuff-box. Hence Athelstane is styled '*Beah-gyfa*,'† or the giver of bracelets: Byrhtic bequeaths a *Beah* of the value of eighty *manecas* of gold to his natural lord and sovereign;‡ and, in another instance, we read of so many *manecas* being paid 'in uno amulo.' There may, perhaps, be some doubt, and that is the only doubt, whether the armlets were

* Flor. Wigorn.

† Ode on the battle of Brunnaburgh.

‡ Textus Roffensis, p. 110.

Danish or Anglo-Saxon. A gentleman, singularly distinguished by his unrivalled knowledge of the antiquities both of literature and of art,* who heard that these ornaments had passed into the hands of a tradesman, addressed a letter to the Council, and obtained an order for a drawing of one of the bracelets, though not without opposition. This bracelet was purchased by an intelligent antiquary,† but all the others of these most singular jewels have shared the fate of the Darics, which, when consigned by Hastings to the Directors, were, after being duly examined by the 'committee of treasury,' faithfully forwarded to Goldsmith's Hall, and melted into ingots; and the bullion being weighed and assayed, the value was carried to account, and a thankful letter written to the Governor-general, acknowledging the receipt of the thirty-six pounds odd shillings which thus recruited the finances of the Company. Such acts occur almost as frequently as there can be any temptation to commit them; and the only chance of preventing the deeds of Vandalism, is by offering some reasonable premium for the preservation of those remains‡ which are *worth* destroying by the finder: but how many are irretrievably lost? The magic shield of Edwin§ has, probably, been long since converted into tea-spoons or sugar-tongs.

Drawings of antiquarian objects are properly enumerated by Mr. Markland amongst the contents of his museum. Of these the society already possesses a large and valuable collection, many by the late Mr. Charles Stothard. We will not say that he was an artist who cannot be equalled, but we may assert, that, as yet, no one has ever united equal accuracy and feeling, and that he is the model whom every antiquarian artist must follow if he wishes to excel. Stothard's pencil was always guided by his mind. Those who have not attempted to draw with precision, are scarcely aware how inaccurately the eye sees any intricate or complicated object, until its lines and structure are fully intelligible to the understanding. Stothard never began his drawing, until, by previous study, he had fully satisfied himself of the tint, the form

* Mr. Douce.

† Mr. Henderson.

‡ Hickee, Diss. Ep. 187.

§ Whilst these sheets are passing through the press, a singular article of this description has been put into our hands—it is a very attenuated plate of gold, measuring about four inches by one, lately discovered at Llanpeblig, (Caernarvon,) near the Roman station of Segontium. The characters with which it is covered, are, for the most part, Greek—and as Cæsar states, that Greek letters were known to the Druids, it might at first be supposed that we possess a genuine remain of the Celtic age; but on examining the text this pleasing vision is dispelled. The first word is ΑΔΩΝΑΙ; and the other Hebrew names and epithets, such as ΕΑΩΑΙ, ΙΑΩ, ΕΑΔΙΩΝ, which can be distinctly traced, show that it is a Basilidian talisman. After the inscription in Greek letters, another follows, in astral or magical characters. Though not British, this relic of antiquity is extremely curious. According to Irenæus, the Basilidian doctrines prevailed in Gaul immediately after the Apostolic age, and the talisman, which, from the shape of the characters, appears to be of the second century, affords an important proof of the rapid extension of the heresy to the remotest provinces of the Roman world.

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and the bearing of every part and portion of his subject. We know, for instance, that he passed three days, from sun-rise till sun-set, in examining the tomb of Sir Oliver de Ingham, before he ventured to commence the admirable drawing, engraved in his *Monumental Antiquities*.* In architectural antiquities, notwithstanding the great interest which has been excited of late years, much still remains to be done. And it would be very desirable to preserve correct architectural drawings of ruined buildings, which offer the most authentic examples, uncontaminated by restoration, and unpolluted by repair: we do not want pretty, tasteful representations for young ladies' albums or the drawing-room table, but sound and scientific *portraits* and *dissections*, exhibiting those details of construction, which can alone afford any real help to the architect. Fountains, Selby, Croyland, Lindisfarne, and, indeed, all the finest of our desecrated fanes have, as yet, been treated only by the delusive pencil of the lovers of the picturesque.

A museum of antiquities, properly organized, would not only tend to the preservation of the objects, but ultimately show the real use to which they are to be applied. By an assemblage of details, the observer may be led to generalize. The main error of our English antiquarians has arisen from their narrowing their views to particular points of research, and by confounding the interest arising from singularity, with the interest of history.

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- ART. IX.—1. *Letter to the Magistrates of England on the Increase of Crime*. By Sir E. E. Wilmot, Bart., London, 1828.
 2. *The Seventh Report of the Committee of the Society for the Improvement of Prison Discipline, &c.* 1827.

THE Letter of Sir Eardley Eardley Wilmot, addressed to the magistrates of England, on the increase of crime, containing much, though not the whole, truth, is entitled to no small degree of consideration. The author tells us, that within the last seven years he has, in the county of Warwick, tried above two thousand criminals for petty offences! Such experience must have afforded him considerable insight into the habits and springs of action of the vicious part of the community, and enabled him to form a tolerably accurate judgment of the effects of punishment upon the different classes of them, whether in the way of amendment, intimidation, or corruption. When such a man steps for-

* We beg to recommend to our readers a very interesting memoir of Mr. Stothard; by his widow, (now Mrs. Bray,) who partook largely in his enthusiasm for antiquities, and has interwoven much curious matter of that kind in her romances of 'St. Foix' and the 'White Hoods,' which may be consulted as very pleasing and very faithful chronicles of the elder day. The memoir of Stothard is written with great elegance and much feeling.

ward with such a statement as this, we may feel assured that mischief lurks somewhere; and though the remedy he suggests will not perhaps wholly remove the evil, it is assuredly entitled to respectful attention. Disposed as we are to admit the truth of very many of his observations, we cannot go the whole length of his views upon this subject. He ascribes all, or almost all, of this recent rapid increase of crime to the effects of early imprisonment. Doubtless much mischief springs from committing to prison mere urchins upon every paltry charge of what the law cabalistically calls felony; nor is the absurdity a jot less in submitting these children to the tedious and somewhat clumsy operations of the machinery of criminal procedure, to the secret investigations of a grand jury, and all the pomp and circumstance of a court of judicature, when a sound whipping at the moment, or a month of solitary confinement upon bread and water, would be infinitely more suitable both to the quality of the offence and the age of the offender; still we can no more believe that early imprisonment is the efficient and primary cause of crime, than that the injudicious treatment formerly of persons afflicted with the smallpox, by shutting them up in the noxious air of rooms hermetically sealed, was the cause of the disease; such folly may have aggravated the symptoms, but could never have originated the disorder. We owe, however, too much to the honourable baronet to quarrel with him about such distinctions; that he denounces a real evil, is granted—the remedy then is the chief point for consideration. What he proposes we will give in his own words:—

‘I would recommend,’ he says, ‘not a restoration of those tribunals which formerly existed in every hundred and every village, in the time of our ancestors, but the adoption of the principle in which they originated, viz. the immediate and summary cognizance of offences committed by the youthful depredator, to be heard before an intermediate tribunal, where petty offences may be instantly proceeded against and punished, without sending the offender to undergo the stigma and contamination of a public prison, the publicity of trial, and all those evils which infallibly result from early imprisonment. I would change the law of larceny [simple] as affecting offenders of a certain age, and convert the offence into one of minor character, cognizable by two magistrates, in the same way as offences now are under the malicious trespass act, and many others; and by thus arming the magistracy with the power of immediate conviction on sufficient evidence, or on confession of the parties, I would empower them to punish the young culprit by whipping, confining him in an asylum set apart for this purpose, or by discharging him without punishment at all.’

At such an alteration of the law many will perhaps at first be inclined to startle, as giving new and somewhat dangerous powers

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to the magistracy, as an innovation upon the trial by jury, and a superseding of those judicial formalities so justly considered essential to the protection of innocence; they will be inclined to think, with an old French *criminalist*, Ayrault, that in proceedings too summary, 'la chaleur, l'indignation, la colère y étant encore, poussent non seulement les parties, mais les témoins, mais les juges, mais l'auditoire—toutes choses avecques le tems passent bien plus humainement qu'à la chaude.'

These, unquestionably, are the evils to be apprehended from the proposed alteration of the law; their compensating balance, however, is to be found in the application of a prompt and more certain, though less severe punishment of the young offender, in sparing him the pain of a long imprisonment before trial, and in rescuing him from the chances of corruption afterwards, by placing him in an asylum where, sheltered from the contaminating air of desperate ruffianism, he may, by severe mental and bodily discipline, be made to feel the curse of crime, and from which he may be in due time restored to society a better not a worse being. Upon principle, and in analogy to other parts of our domestic jurisprudence, we are at a loss to conceive why one justice should be enabled to commit a boy to gaol for six months for taking a peach, or twelve months for stealing a dog, and power withheld from two justices to punish him for stealing a chicken. These are some of the anomalies that are still permitted to deform our criminal code, and which the projected law, if permitted to stand as it is at present framed, will only tend to increase; for the very offence which most fills our gaol with juvenile depredators would not fall within the compass of it, viz. picking pockets—the school in which infant thieves are initiated in the art and mystery of their trade. It is upon the slashed pocket of the loungee that the untutored hand generally first tries its skill; yet in such respect does the law affect to hold our persons, that even the skirts of our coats become objects of its especial protection; and he who presumes, novice as he may be, to dislodge a handkerchief, is considered guilty of what, till lately, was *grand larceny*, and is still liable to punishment of the higher order. The act, to be really operative and beneficial, should be made to extend to all stealing from the person without violence, with perhaps some greater limitation of the powers delegated to the justices: their jurisdiction might be limited to offenders whose age does not exceed sixteen years; and as a safeguard to innocence and a prevention of any mischief that might arise from a proceeding conducted too much 'à la chaude,' it might be provided that the justices shall not award their sentence until after a certain lapse of time, or that the offender shall be remanded to the next petty sessions which

which usually in the country, we believe, take place every week or fortnight: in the metropolis, perhaps, where those who sit in the police courts are for the most part members of the bar, and their acts more under the controul of public opinion, such delay might not be altogether so necessary. In further confirmation of the expediency of making some alteration in the law of larceny, as it affects juvenile offenders, we will submit a short extract from the last Report of the Society for the Improvement of Prison Discipline, which, for the good sense, enlightened views, and philanthropic spirit that pervade every page of it, merits the highest commendation:—

‘Of the extent of crime among the youth of the metropolis an idea may be formed from the fact, that while in the last year the number of prisoners who passed through Newgate, above the age of twenty-one, was one thousand two hundred and sixty-two, those under that age amounted to one thousand six hundred and sixty-nine. It is also lamentable to state that, in the House of Correction, at Brixton, more than one half the number of prisoners were lately found to be under twenty-one. The causes of the evil may be briefly told. Nothing tends more powerfully than pauperism to weaken the natural affections and destroy the sense of parental obligation; whatever, therefore, contributes generally to create indigence among the poor at large, operates with peculiar severity upon their offspring. Of the crowds of boys who inhabit our prisons and infest our streets the depravity of an immense proportion may be traced to the want of care and to the neglect and criminality of their natural protectors. Numbers are without a parent or friend, and derive their subsistence by mendicity and theft. They are frequently committed to prison for short periods; on being discharged, their depredations are renewed both from habit and necessity, until, becoming the associates of old and desperate offenders their career is at length terminated by transportation or capital punishment.’

A very useful clause might, we think, be introduced into the proposed bill, extending the authority of parents by enabling them to call upon the magistracy when they have just cause of dissatisfaction with the conduct of their children, to correct them by imprisonment or otherwise. The absence of a law of this nature is incessantly felt, particularly in the metropolis, where parents are daily presenting themselves at the police offices, under the impression that such a power exists somewhere, beseeching the justices to interpose their authority, and by a timely chastisement snatch their offspring from infamy and ruin. By the Code Napoléon, the father of a child under sixteen may cause him to be imprisoned for any time not exceeding a month, and for this purpose the president of the tribunal of the district is bound at his, the parent's request, to issue a warrant of detention; above sixteen,

sixteen, and until he is of age, or emancipated, the father can only ask for the detention of a period not exceeding six months. He must apply to the same authority, who, upon consulting with the *procureur impérial*, may grant or refuse the warrant, as he pleases, and in the first case may abridge the time of detention solicited by the father. This proceeding is attended by no other judicial form than the warrant of arrest and imprisonment, on the face of which the cause of detention is not expressed. The father is obliged to sign a bond for the payment of all expenses, and the supply of necessary food, &c. He may, if he pleases, cause the period of the child's imprisonment, so requested by him, to be shortened; and if the child again offends, the same process may be resorted to for further correction. This appears to us to be a most salutary law; were some enactment of the same kind to be introduced into this country, hundreds of both sexes might, we doubt not, be saved from destruction.

Before we take our leave of this useful bill, as proposed by Sir E. Wilmot, we would call his attention to an error which has crept into many recent acts of penal legislation, and which has been adopted by him. In the sketch of an act appended to the Letter, there is this clause, 'and if any person so convicted shall be afterwards accused of simple larceny before one or more justices of the peace, then such person shall be proceeded against in the manner pointed out by the various statutes now in force respecting larceny.' This is specious in theory, but defective and unsatisfactory in practice, from the difficulty and frequently the impossibility of ascertaining the condition on which the higher and severer penalties are made to depend; hence, what is always to be deprecated, uncertainty and inequality of punishment: for example, a lad who has chanced to commit his second offence in the same parish or county in which his first was done, is transported; whilst another, infinitely more wicked, who commits his fiftieth offence in a different county, escapes with only trifling punishment, from the manifest impossibility of the justices in Oxfordshire knowing what has taken place before the justices in Middlesex.

Such points after all, however, are but as the spots on a diseased limb, which must be lopped off before the constitution can recruit itself.

In every county throughout England crime has unquestionably, within these few years, so rapidly and fearfully increased, as to shake all confidence in either public or private security. We refer to a paper in the last number of this Journal (on Mr. Peel's improvement of the Criminal Law) for the painful details: the result is, unquestionably, as we have now stated it. And when it

it is considered how small a proportion the number of the detected bears to that of persons engaged in the perpetration of similar offences who remain undiscovered, or escape committal, either from want of sufficient evidence, or from being discharged or summarily punished by the magistrate, the statement becomes truly terrific, and will be found, we fear, without parallel in the annals of any other civilised country. Allegiance and protection are, we know, reciprocal; where a state demands the one, it owes the other; and when it affords it not, or affords it ineffectually, the first principles of the social compact are contravened. If, after all allowances for the imperfection of human government, injuries may be offered repeatedly and constantly, with impunity, to our persons and property, the form of government becomes a matter of indifference. If men suffer, what matters it, whether it be by the act of a licensed or an unlicensed robber, a Janissary or a Jonathan Wild? Who, we ask, can look without fear upon the mass of crime which the statement to which we have referred establishes,—upon the courses of such mischievous bodies as these, perpetually disturbing without check the order and equilibrium of society, and which, like other mischievous bodies in the physical world, can only be controlled by a systematic and overpowering resistance. Such a state of things, it is needless to remark, must argue some gross defect either in the laws themselves, or their administration; and whichever it be, it is equally the duty of the government to probe the mischief. The great and interesting problem to be solved with us especially, will be the mean, the just mean, which will best unite the benefit of public security with that of a sufficient power over, and punishment of, offenders. If too much power is given to ministers of justice, or if unfit persons are appointed for its application, both liberty and innocence are endangered: if too little power is delegated to them, or there is a deficiency of physical strength to carry their will into effect, then is public security equally endangered from impunity; and in this country, unhappily, from the defective state of its criminal jurisprudence, particularly of that branch emphatically styled *police*, we have, in a greater or less degree, all these difficulties to contend against.

We have no sort of doubt that the primary defect in our present system, and the proximate cause of the immense majority of criminal acts committed, is no other than our want of an organised power—a criminal force throughout the kingdom, with functions well defined, vigilant, active, and prompt to give effect to whatever authorities are recognised by the constitution for the repression of crime. It is the safety of sinning that is now the great scourge of society. ‘Qu’on examine la cause de tous les relâchemens,

relâchemens, on verra qu'elle vient de *l'impunité* des crimes et non pas de la modération des peines.' (*L'Esprit des Loix*, liv. vi., c. 12.) With so many chances of escape, punishment, however severe, loses half its terrors, its intimidative effects being in the ratio of its certainty.

The insufficiency of the existing means for the repression of crimes, cannot justly be ascribed to a want of judicial power, since there is so much that still lies dormant in our books, but rather to an indiscriminate adherence to ancient forms and institutions, not as they were, in their origin, vigorous, and even more than adequate to their occasion, but as they now are, in their decay, and when they have become the mere shadows of antiquity. When we look at the mutual suretyship by which every man became responsible to the state for the conduct of his neighbour,—at the hue and cry (not of Mr. Stafford) with which the suspected felon was pursued with horse and horn from vill to vill,—at the power of the sheriff who could rouse and arm a whole county in an instant,—and feel that all these have passed away, and nothing been devised in their place;—when we consider, too, that the same judicial apparatus that was in use in the reign of Edward III., for the preservation of order and upholding public and private security, is now, when worn out and utterly inadequate, employed to control a population of nearly thirteen millions, one-tenth of which is in a state of pauperism, and consequently on the confines of crime, who can for a moment remain insensible to the necessity of re-modelling the police of this country?

Police, in our view of the subject, when rightly understood, its limits and functions well defined, is the base on which men's liberties, properties, and social existence repose. Its functions may be divided into three branches, the executive, the antejudicial, and the judicial. The first is partly dependent, and partly independent, of the two last; its operations are preventive or protective; those of the antejudicial, detective; of the judicial, corrective. The character of the preventive should be watchfulness, constant but cautious, over the first approaches to crime, or, rather, its earliest manifestations, so as to leave to the evil-disposed no hope of *accomplishing* their wicked designs.* The principle of the preventive branch of its operations, strictly so termed, (for all penal laws may be said, by intimidation, to prevent,) is founded on the good that thereby accrues to the offender—to the subject and to the state—to the offender, as being the

* There is a striking aphorism of Lord Bacon on this very point, in speaking of universal justice: 'In curiis censoriis, omnium magnorum criminum et scelerum actus inchoati et medi puniuntur; licet non sequatur effectus consummatus; isque sit earum curiarum usus vel maximus; cum et severitatis intersit, initia scelerum puniri, et clementiam, perpetrationem eorum (puniendo actus medios) intercipi.'

more merciful—to the subject, the more just, ensuring safety to his person and property, (for the penalties that are consequent on crime, are, in their nature, intimidative and not compensative)—to the state, as more honourable and economical, first, from an improvement in its moral condition, and last, by diminishing the number of offenders, and the necessity of long, and to the country expensive, confinement. The instant the preventive has failed to interpose itself between the imagining and execution of an act, the detective steps in, and its service is of a threefold kind : first, to secure the offenders, whether principals or accessories; second, to find out and collect the scattered pieces of evidence that tend to establish their guilt; third, to search for, and procure the stolen property. The character of the detective is promptitude, as, by the smallest delay, all traces of the offender and proofs of his guilt may be lost. When the detective has succeeded in its object, it submits the results of its operations to the judicial, the acts of which are also threefold : judgments preliminary, appellatory, and final. By the first is determined the nature of the offence, as constituted by the evidence ; if a proveable one, but not within its competence to decide, its business is to condense and arrange the proofs, and hand them over, together with the criminal, to be dealt with by the superior tribunals ; and in this light, police may be considered as the handmaid to the criminal courts. If the offence is within its competence, it determines the truth or falsehood of the allegations, and discharges or punishes the offenders accordingly, subject, in all cases, to certain judicial formalities, and, in some, to the revision of higher authorities. The injuries, which it is the duty of police to avert or punish, arise in two ways : first, from natural causes, such as fires, inundations, storms, contagions, &c. ; secondly, from human ; and these are classed according to the degree of moral turpitude ; there are some offences, which are universally denominated crimes or misdemeanors, and as universally considered fit objects of public vengeance. There are others of a more trivial nature, caused, whether intentionally or otherwise, either by mischievous, rash, or negligent conduct, or by want of regard to conveniency, decency, or good order. These last are particularly the objects of the judicial branch of police—they are such as are of hourly occurrence, more or less interfering with the enjoyment of our rights, and but for some direct power, to which much discretion must unavoidably be allowed, immediately to punish them, would infallibly escape punishment altogether. ‘ Il y a,’ says Montesquieu, ‘ des criminels, que le magistrat punit, il y en a d’autres qu’il corrige ; les premiers sont soumis à la puissance de la loi, les autres à son autorité ; ceux-là sont retranchés de la société ;

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on oblige ceux-ci de vivre selon les règles de la société. *Dans l'exercice de la police c'est plutôt le magistrat qui punit que la loi.*

The great difficulty, in all the branches of police, is, to determine the true limits of its powers, for the attainment of its great object, protection; that this may be afforded at the least possible expense of legitimate freedom, of which, as of any sound police, the essential element must be justice.

Such may be considered the leading principles of most of the modern systems of police. These principles are modified, of course, in every particular case, by the particular nature of the government, habits, and genius of the people, &c.; but the main difference will be found, we apprehend, in the different degrees of dependence of the executive upon the judicial authority:—Where the former is wholly unconnected with the judicial power, and, as in France, during several periods of her revolution, concerns itself in faction only and not in justice, it becomes an instrument of the most odious tyranny. In other cases, it resembles those potent drugs in medicine, which work good or evil, according to the skill with which they are administered. With us, fortunately, in England, the only occasion in which the executive branch of police can display itself distinctly from the judicial is, during a suspension of the habeas corpus, at times a necessary, but always a fearful departure from the ordinary procedure.

Powerless as our police is at this day, there is, in truth, no constitution in Europe, in which the elements of a vigorous, just, and enlightened system, are more profusely spread than in our own. And this we owe chiefly to the wisdom of our Saxon ancestors, who justly regarding peace and security as the first, and not, as we do, as the last objects of attention, cherished and protected every institution that conduced to their maintenance.

The most striking among their regulations of police was that of mutual suretyship, which compelled, on pain of imprisonment, the freeborn men to cast themselves into companies of ten, and these again into hundreds, each individual being held responsible for the forthcoming of his neighbour, in the event of any criminal charge being preferred against him. If, at any time, the king's peace was violated, it was the duty of the county, where the breach occurred, to find out the hundred to which the offender belonged; the hundred to discover the delinquent; and of the delinquent to produce the criminal, or be amerced; and, in many instances make good the damage done, or loss sustained.

In each county, too, there were various officers, of different degrees and rank, armed with large powers expressly for the

conservation of the peace and repression of all manner of disturbance and injury of the people, as well by way of prevention as punishment. First, among these ministers of justice stood the 'vicont,' or sheriff: the 'power of the county' was placed at his disposal; he was to apprehend all persons who broke or attempted to break the peace; to seize felons and traitors; moreover, according to Fitzherbert, 'arrestor suspect persons qu'alent per le nuite ou per jour et sont de male fame;' and to detain in prison mendicants and vagrants, without bail or mainprise. He held an ambulatory court, called the court of the *tourne*, for the punishment of minor criminal offences, and in these, previous to Magna Charta, he heard and determined all cases of felony, with unlimited powers, except as to the punishment of death. At the court of the leet, the steward, appointed by the lord of the manor, presided. The jurisdiction of this court was to three ends: first, 'to take the ancient oath of allegiance of all males above twelve years; second, to inquire of all offences against the peace, and for those that are against the crown and peace, both, to inquire of only, and certify to the justices of gaol delivery; but those that are against the peace, simply, they are to inquire of and punish; third, to inquire of, punish, and remove all public nuisances and grievances concerning infection of air, corruption of victuals, &c.; and of all other things that may hurt or grieve the people, in general, in their *health, quiet, and welfare.*'* Both the leet and *tourne* were courts of record. The coroner was also anciently an officer of great trust, and a principal preserver and keeper of the peace. It was his duty, if 'advertised by the king's bailiffs, or other honest men of the countrey, to come to those that be slaine, sodainly dead, or wounded, or to *house-breakers*—to enquire who were culpable, who were present, either men or women, and, of what age, so they could speak, and had discretion; and they which were found guilty by inquisition were taken, delivered to the sheriff, and committed to gaol; and as many of them as *were not found guilty*, were to be attached until the coming of the justices, and their names enrolled.† This officer was chosen by the commons of the country, 'from among the most meet and worthe people, and the most sage and wise knights.' There were likewise the wardens or Conservators of the Peace, chosen by the people at the county court; for this purpose a writ was directed to the sheriff, commanding him to choose in his full county '*unum hominem de probioribus et potentioribus comitatûs sui, in custodem pacis:*' it was their special duty to watch over the general security—an office similar to that of the '*Assertores Pacis*' of some of the

* Lord Bacon, Office of Constables.

† Pulton, quoting Bracton.
ancient

ancient German tribes. Early, however, in the reign of Edward III. their title was changed to that of justices of the peace, their powers greatly enlarged, and nomination transferred from the commons to the crown. By a statute passed in the thirty-fourth of that reign, declaring the authority to be given to these new functionaries, the power which had previously existed at common law, of taking surety of suspected persons and those of evil fame, was distinctly recognised in the following words :—‘ *De prendre et arester touz ceux qils pourront trover par enditement ou par suspicion et les mettre en prisone et de prendre de touz ceux qui ne sont de bone fame ou ils serront trouvez, suffisant sureté et meinprise de lour bon port devers le roi et son peuple.*’* In giving this and much additional power to the justices, no little care and forethought were employed to guard against the mischief that unhappily but too soon occurred, from its falling into the hands of unworthy and incompetent persons. The legislature foresaw that if ever such men took part in the administration of these laws, they would either pervert them to their own corrupt purposes, or, through remissness and ignorance, suffer them to fall into desuetude. It, therefore, by several successive statutes, expressly ordained that the justices of peace should be ‘ *bons gentz et loialx,† moult suffisant et vailantz,*’ &c.; and according to the act abovementioned, ‘ one lord was to be assigned for the safeguard of the peace in every county, and with him three or four of the most worthy of the country, together with others learned in the laws.’ Holinshed, in his Chronicles, thus speaks of the administration of justice in the interior of the country :—‘ there are diverse also of the best learned in the law, beside sundrie gentlemen (where the number of lawiers will not suffice) appointed by special commission of the prince, to look into the good government of his subjects in the counties where they dwell; and of these the least skilful in the law are of the peace; the other, of the quorum, otherwise called oier et determiner; so that they have authority only to hear, the others to hear and determine such matters as are brought into their presence.’‡

The ministers and subordinate officers of the justices were the high and petty constables. The first were appointed by the justices in session, and their duty was threefold—conservation of the peace, serving precepts and warrants, and attendance for the execution of statutes. Their authority extended over the whole hundred. The petty constables were chosen by the jury of the leet; their office was to preserve the peace, to search for and arrest felons, to make hue and cry, and if by common voice or

* Fitzherbert—*L'Office des Viconts*.

† Absurdly translated in our statute books, lawful: it means faithful, just.

‡ Hol. Chron., vol. i., p. 156.

fame any man were suspected, to arrest him and bring him before a justice of the peace, 'though there be no other accusation or declaration.' The exercise of this power was restricted to the town, parish, or borough, for which they were elected. 'They were men (Lord Bacon observes) not as it is now used, of inferior, yea, of base condition, which is a mere abuse or degenerating from the first institution, for the petty constables in towns ought to be of the better sort of residents in the same, save that they be not aged or sickly, but of able bodies in respect of their keeping watch and toil of their place; nor must they be in any man's livery. The high constables ought to be of the ablest of freeholders, and substantiallest sort of yeomen, next to the degree of gentlemen, but should not be encumbered with any other office, as mayor of a town, undersheriff, &c., &c.' Of such materials was the fabric of our police originally composed—a fabric, which, whether in the vigour of its laws or the respectability of their executors, might put to shame the best-constructed system of modern Europe.

Unfortunately, it remained not long in this flourishing and efficient state. The increasing attraction of the capital drew many of the gentry from their proper seats; whilst others, finding the charge of justice of peace daily growing more burdensome from the 'stacks of statutes' that were beginning to be heaped upon them, were loth to undertake the office, and left its duties to be performed by men of inferior rank and ability. The mischievous result of this secession on the part of the gentry was, that the commissions of the peace soon teemed with men of low ambition, through whose ignorance, pusillanimity, and corruption the whole of that admirable structure of domestic polity, under the protection of which the people might have continued to repose in safety, rapidly declined and fell into decay. Such was the deplorable state of the police of England as early even as the close of the sixteenth century, that, in 1586, we find a magistrate of the county of Somerset thinking it his 'bounden duty' to submit its insufficiency to the grave consideration of the lord treasurer. Any one who reads this letter might suppose it to be a representation, and not a very unfaithful one, of what is passing at the present hour. It runs thus:—

'Right Honourable, my very good Lord,—Having long observed the rapines and thefts committed within this county, where I serve, and finding they multiply daily, to the impoverishing of the poor husbandman, that beareth the greatest burden of all services, and knowing your most honourable care of the preservation of the peace of this land, do think it my bounden duty to present unto your honourable and grave consideration these kalendars enclosed of the prisoners executed and delivered this year past, in this county of Somerset, wherein

wherein your lordship may behold one hundred and eighty-three most wicked and desperate prisoners to be enlarged ; and of these few came to any good, for none will receive them into service, and, in truth, work they will not, neither can they without extreme pain, by reason their sinews are so benumbed and stiff through idleness, as their limbs, being put to any hard labour, will grieve them above measure—so, as they will rather hazard their lives than work—and this I know to be true—for at such times as our houses of correction were up (which are put down in most parts of England, the more pity,) I sent divers sundry suspicious persons to the house of correction, and all in general would beseech me, with bitter tears, to send them rather to the gaol ; and denying it to them, some confessed felonies unto me—by which they hazarded their lives—to the end they would not be sent to the house of correction, where they should be forced to work. But, my lord, these are not all the thieves and robbers that are abroad in this country, for I know it in the experience of my service here, that the fifth person that committeth a felony is not brought to trial, for they are grown so exceedingly cunning by their often being in gaol, as the most part are never taken. If they be, and come into the hands of the simple man that has lost his goods, he is many times content to take his goods and let them slip, because he will not be bound to give evidence at the assizes to his trouble and charge. Others are delivered to simple constables and tithing men, that sometimes wilfully, and other times negligently, suffer them to escape : and others are brought before some justices, that either wanteth experience to examine a cunning thief, or will not take the pains that ought to be taken, in sifting him upon every circumstance and presumption, and that done, see the robbed give fair evidence. . . . For most commonly, the most simple man and woman, looking no further than the loss of their own goods, are of opinion, that they would not procure any man's death for all the goods in the world. Others, upon promise to have their goods again, will give faint evidence, if they be not strictly looked into by justice. And these, that thus escape, infect great numbers, embolding them by their escapes. But the greatest fault is in the inferior ministers of justice, which should use more earnest endeavours to bring them to the seat of judgment and justice. Whereas if every justice of peace in England did, in every of their divisions, quarterly, meet, and before this meeting cause a diligent search to be made for the apprehending of all rogues, and vagabonds, and suspicious persons, and to bring them before them—when they should receive the judgment of the law—and the sturdiest of them that are most dangerous, committed to the house of correction or gaol ; and at this meeting inquire of the defaults of ale-houses, which harbour them—of constables, tithing-men that suffer them to wander, and of inhabitants that relieve them contrary to law, and inflict punishment according to the statute, a rogue could hardly escape. And they grow the more dangerous, in that they have bred that fear in justices and other inferior officers, that no man dares call them into question. At a late session, a tall man, a man sturdy and ancient traveller, was committed by a justice,

and

and brought to the sessions, and had judgment to be whipped, he, present at the bar, in the face and hearing of the whole bench, swore a great oath, that if he ever were whipped, it should be the dearest whipping to some that ever was. It strake such a fear in him that committed him, as he prayed he might be deferred until the assizes, where he was delivered, without any whipping, or other harm—and the justice glad he had so pacified his wrath; and they laugh in themselves at the lenity of the law, and the timorousness of the executioners of it.—*Strype's Annals*, vol. iv. p. 295.

For upwards of two centuries has police continued, nearly in the same deteriorated and imbecile condition, with scarcely a single effort on the part of the legislature, either to revive and adapt old institutions, or devise new ones, more, perhaps, in unison with the present state of society; and this, although every neighbouring country around us has its ameliorated code of police and criminal procedure. Statute, it is true, has been heaped upon statute: but each passed on the spur of the occasion, without regard to principle or system. And thus the laws, which constitute our domestic jurisprudence, have no better pretension to arrangement than the index of an army list—an alphabetical one. If police was at any time their object, it was rather that of parks and poachers, than the protection of persons; not so much to keep down felons, as to keep up pheasants; and that it might not lose its character for consistency, in being always most defective, when and where most wanted—the metropolitan county came to be distinguished above all the rest, for the incompetency and venality of its justices. So early as the reign of James I. they obtained the appellation of the 'Basket Justices,' and were characterized as men 'privileged to domineer in their parishes, and do their neighbour wrong with more right.' Towards the close of the last century, to such a height had their corruption attained, that they boldly ventured to open shops for the sale of justice, or rather injustice; and it was to suppress this iniquitous traffic—this handy-dandy play—of which the justice, which the thief—that the first *police bill* was introduced into parliament.

It must ever be a subject of regret, that so fair an occasion should have been lost for infusing into the magistracy a little of its ancient vigour, purity, and spirit; and of, at once, organizing a system of police that might have done honour to the country. Instead, however, of the measure (which in its operation is confined to the metropolis and its vicinity) being framed on liberal and enlightened principles, every step of its progress was marked by jealousy, an absence of all information upon the subject, and the most narrow policy. The persons to fill the important office of police magistrate under this bill were to be selected, not from amongst the 'moultz vailantz et suffisant, or les sages de la

la ley ;' but, taken from a degenerate magistracy, disfranchised, and salaried just enough to procure them the distinguishing epithet of the 'paid ;' then, being fixed in obscure retreat in different parts of the town, and encircled, each of them, by half a dozen petty constables, they were left to control a population of a million of people, and this was called police !

The Bill has been renewed at different times, with but few and unimportant alterations. A motion for a committee of the House of Commons is, whilst we are writing, announced, 'to enquire into the state of the police of the metropolis and its vicinity.' We regret it does not take a wider range, and embrace the country at large, which is still more destitute of adequate protection than the metropolis. We hope, however, and, from the able hands into which the measure has fallen, we confidently expect the most beneficial results—and, as we have here intimated in a cursory way, what police has been, and what our institutions will easily admit it to be, we may take the occasion of the moment to suggest to the committee, that before any thing like health and vigour can be again infused into this part of our administrative system, it is absolutely necessary to incorporate the present discordant, coarse, and corrupt elements, called, or misnamed watchmen, patrols, petty constables, headboroughs, street-keepers, &c. &c., into one vigorous and well-organized whole—a regular police force—characterized in its movements by activity and unity, its members by respectability, and its superintendence by unceasing vigilance : this body, too, should be placed exclusively under the control of a ministerial, not a judicial officer, of suitable consideration, nominated by the Home Secretary, and independent of all other interference. To his charge might also be consigned the alien, hawkers, and pedlars, and hackney-coach departments, as immediately appertaining to the executive branch of police.

If, on constitutional grounds, any hesitation should be felt about withdrawing from parish vestries, commissioners of pavements, turnpike trusts, &c. the appointment they have hitherto had, of the watch, it should not be forgotten that the public good, as well as their patronage, is entitled to some weight in the scale ; and that our ancestors, when they thought it right, did not scruple to transfer, from the commons to the crown, the nomination of those far more important ministers of justice—the magistrates and sheriffs. Towards the maintenance of this efficient force, each parish should be compelled to contribute the same sum that it now annually raises and throws away upon an inefficient one. A certain detachment of the force should be allotted to each district, proportionate to its extent and population ; and placed under the direction of one or more superintendants, of the same class
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of men to which the high constables anciently belonged. Nor should less attention be given to the judicial branch of the police; the ministers of which should, by positive enactment, be strictly limited to members of the bar, and, we think, to members of some considerable standing.

In limine there can be no doubt that the whole of the existing watch-system of London and its vicinity ought to be mercilessly struck to the ground. No human being has even the smallest confidence in it. Scenes of collusion, tricks, compromises, knaveries of all kinds, are brought to light daily: none of the magistrates rest the least faith on the statements of these functionaries, unless when they are backed by the testimonies of other persons. The feeling against them is strong, exactly in proportion as opportunity of learning their real habits has been abundant. Their existence is a nuisance and a curse; and are they to be upheld, in order that vestrymen may provide for worthless or worn-out dependents, at the expense of the peace and security of such population and such property? Let this matter be searched to the bottom, and we have no fear of the result.

We can easily believe that the general suggestion which we have thus hazarded, may be received with considerable suspicion in quarters for which we have high respect; but, on reflection, we have no doubt that suspicion will disappear. It is impossible to deny, that at present the interference of *the military* is much oftener demanded than seems at all reconcileable with the theory of the constitution: and we put it to the candour of John Bull, whether his feelings and habits are likely to be jarred on the more frequently by a really efficient civil force established all over the land, or by the maintenance of that despicable apparatus which, in cases of the slightest importance, can do nothing without the backing of red coats and bayonets.

ART. X.—*A Narrative of the Campaigns of the British Army at Washington and New Orleans, under Generals Ross, Packenham, and Lambert, in the Years 1814 and 1815. By the Author of 'The Subaltern.'* Second Edition. 12mo. London. 1827.

EXHIBITING in his pages an intimate acquaintance with the real occurrences of war, which, in the eyes of professional men, gives to them a peculiar value, this author has, at the same time, contrived, by the brilliancy of his descriptions, and the unaffected simplicity of his style, to arrest and carry along with him, in no ordinary manner, the attention of the general reader; whilst
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a vein of manly feeling and generous sentiment enhances in a very special manner his details of some of the most distressing scenes to which the chequered course of a soldier's life is liable.

We had intended, almost as soon as this 'Narrative' appeared, to devote a few of our pages to an examination of its contents, and we have hitherto postponed doing so, simply in the hope that other, and scarcely less interesting, sources of information, might become available to us. This expectation is now in some degree fulfilled, and we proceed to the execution of our task, persuaded that any additional matter which we may have to offer, will tend to bear out the generally accurate delineations of the text.

It is scarcely necessary to say, that the little work before us contains a detailed account of the proceedings of an expedition which, in the spring of 1814, sailed from the Gironde to the shores of North America,—being, in fact, a detachment from the army of the Duke of Wellington, which, after having securely possessed itself of a large portion of France, and borne a most triumphant part in the deliverance of Europe, was just then about to be broken up. Early in August, this small force entered, under discretionary orders, the waters of the Chesapeake, one of those vast arms of the sea which indent the coast of the United States; and on or near which are situated Norfolk, Annapolis, Alexandria, Baltimore, Philadelphia, and Washington. The latter was chosen as the first point of attack;—a material inducement to this selection being the political effect anticipated from exhibiting in a glaring manner the vulnerable state of the enemy, even in the heart of their territory, and at the seat of their government.

A corps, computed at nine thousand men, including five or six hundred cavalry, was hastily assembled, and drawn up in three lines on a lofty and partly wooded eminence, a few miles in advance of the capital, and at about five days march from our shipping. The village of Bladensburgh lay in the valley on our side, but within cannon range of the enemy. The ground thus judiciously selected for defence was most formidable and of difficult access. To the crest, it was about three-quarters of a mile in ascent; over the centre passed the high road, and along its base ran a deep and rapid river, passable only by a narrow wooden bridge. This, though additionally protected by a fortified house, our advance forced without delay, carrying also at a rush a two-gun battery by which it was more immediately enfiladed. In little more than an hour the enemy were dislodged and routed; ten out of the twenty-four guns in position fell into our hands; the remainder the enemy were enabled to carry off. Our men, having already marched under a broiling sun some fourteen or fifteen miles, were no longer a match in speed for the fugitives, and we

had no cavalry. The little invading column, being quickly reformed, pushed on to Washington. Night presently closed in, and it became profoundly dark. No opposition, except an inconsiderable fire of musketry, was encountered. The government was dispersed,—a line of battle ship on the stocks, timber for several others, a sixty-gun frigate, a sloop of war, two hundred pieces of ordnance, and ‘two or three millions’ worth of public property of all sorts are stated to have been destroyed. The force employed on this occasion scarcely amounted to three thousand bayonets. We had more artillery, indeed, than, from a deficiency in the means of transport, could, by possibility, be brought into the field; but the *personnel* of that arm, as well as that of the engineers, were prompt, as they ever are, to afford the most efficient and conspicuous assistance. Our object being accomplished, we retired, by easy stages, to the place where we had disembarked. The enemy were reported to have rallied on the day after the action a considerable corps; but they made no demonstration of a disposition to approach or follow us. The supporters of the federal ministry threw all or the greater part of the blame of this disaster on the general officer who commanded their troops, and who was assisted by the personal superintendence on the field of the president and secretary at war, Messrs. Madison and Munroe. They alleged that the 16,300 men, which had been placed at his disposal, ought to have been sufficient for every purpose. On the other hand, it was denied, that time admitted of his drawing together the whole of this force. Of the author’s animated description of this operation, the following is one of the concluding passages:—

‘In whatever light we may regard it, whether we look to the amount of the difficulties, which it behoved him to overcome, the inadequacy of the force which he commanded, or the distance he was called on to march, in the midst of a hostile population, and through deep and trackless forests, we cannot deny to General Ross the praise which is his due, of having planned and successfully accomplished an expedition, which none but a sagacious mind could have devised, and none but a gallant spirit carried into execution.’

It is in vain to allege that the clear brilliancy of our national fame in arms has altogether escaped some tarnish in the contests we have waged with these states; we have, therefore, dwelt on this hardy coup-de-main, for as such, and no more, can it be regarded; not that we would absurdly magnify it into any similitude to those stupendous European contests, in which embattled nations, it may be said, were actors, and empires the stake, and whose issues have covered our own armies, and their immortal leader, with such a blaze of glory,—but because we consider it to have been a remarkable instance, though on a small scale, of the
admirable

admirable valour and characteristic superiority of the national troops; while it may be supposed to derive an additional interest from the accident of its having occurred at but a small distance from the scene of one of the most decisive and humiliating reverses experienced by us in the former war.

About a fortnight now elapsed, occupied in arrangements relative to the wounded, and in preparations for a descent against Baltimore. During this interval, it was, that permission was requested for the passage through our fleet of a *cartel*, bearing dispatches to the American commissioners then engaged on some of the preliminary discussions of the treaty of Ghent; and containing, as was openly avowed at the time, urgent injunctions to hasten the conclusion of peace. This request was, of course, freely granted; and the acceleration of the negotiations, understood to have been the consequence, must be regarded, if such was really the case, as a circumstance of a far happier influence than any more immediate result attributable to the enterprise;—since it must unquestionably have tended to leave the government of this country free and unembarrassed at a most eventful juncture, to take that great and leading part presently after, in continental affairs, which their extraordinary character so imperatively demanded.

On the 11th September, the squadron anchored off North Point, about thirteen miles below Baltimore. In good time, the next morning, the troops were disembarked, and immediately commenced their advance. At about four miles hence, some firing took place in front,—the Major-general was killed, and thus was the armament deprived of a chief whose personal character won for him the golden opinions of every rank, while in his abilities all had unlimited confidence. Though of the gentlest and most susceptible mind, he was not the less ardent and emulous of honour. Like Wolfe, he lived only long enough to give earnest of what might have been expected to adorn his career.

The command now devolved on Colonel Brooke; the column continued to advance, and shortly afterwards about six thousand of the enemy were discovered within the edge of a wood, ranged behind a high paling, with a considerable extent of open ground in their front. A ravine, concealed by some trees, passed round their left, through which the 4th British foot gained, unperceived, their flank, throwing them, in that quarter, into some disorder; a charge at the same time, in line, was executed against their front; the paling was clambered over; this barrier falling them, they gave way and fled in confusion; not, however, until after standing something approaching to a *melée* in parts of the line. Some guns and prisoners remained in our hands. Their loss is said to have been

been considerable; ours was under three hundred, being about the same as that sustained in the previous affair.

It was now too late to reach or examine, before dark, the entrenched position about five miles distant in our front, and reported to be of more than ordinary strength. Besides, nearly 900 of our men, and four pieces of artillery, were still in the rear, partly from fatigue. The sun had been intensely powerful; and great numbers had been unable to keep pace with their regiments. Such is, we believe, usually the case, to an astonishing degree, on the first day's march in warm climates, particularly if troops have been any considerable time embarked; but fortunately these are effects which rapidly decrease. At day-break we again moved forward, and took up our ground, under cover of some inequalities, at the foot of a commanding ridge, presenting a steep and clear glacis in front, of about 400 yards descent, and forming a barrier around this part of the town. Along its crest a range of palisaded redoubts, connected by a breastwork, was constructed; within which, as has been since ascertained, 23,000 men, of all descriptions, with a considerable artillery, had been assembled.

Immediately under these heights, on the other side, lay this populous and wealthy city; the possession of which, though temporary,—the capture of its numerous shipping and stores, and consequent effect on public opinion, as regarded the then urgent financial embarrassments and discredit* of the American executive, formed altogether strong temptations to the further prosecution of the undertaking. There was, it is true, a vast disparity in the amount of the contending forces; but every military man knows how little comparatively formidable an imperfectly disciplined body of men, however numerous, is usually found to be when put to the test. The loss of an army may be the ruin of a state, but an independent detachment, engaged on a project not absolutely unfeasible, should usually take the consequences of its best endeavour to succeed. For in this manner, it is conceived, will be best upheld the high tone of the national spirit and its repute in martial affairs, which certainly are amongst the main elements of public strength. We are aware that in ascending, in open day, this formidable glacis, swept by such a fire as could be brought to bear upon it, we should most probably have suffered too much to reap the fruits of victory. But under cover of darkness, the case might have been otherwise. Their fire,

* Their treasury was, at this period, literally empty,—the sources of their revenue, which during the war are extremely small, were for the time completely exhausted,—nor could the merchants be induced to contract for the public loans, though immense premiums were tendered:—in short, towards the close of this war, the North American Union was, unquestionably, on the brink of dissolution.

which

which was all that we had to apprehend, could not have been equally destructive. These were, it appears, amongst the considerations by which the officer, now in charge of the troops, was actuated in resolving to make the assault during the middle of the ensuing night. An officer was thereupon dispatched to the vice-admiral, then presumed to have arrived off the harbour, to acquaint him of the hour fixed on for the attack, in order that he might time his operations accordingly. The remainder of the day was occupied in a diligent reconnoissance, and in the preparation of planks and fascines, &c. for the passage of obstacles. But in the evening 'A communication,' says the writer of 'Relfe's Historical Memoirs,' *'was received from the admiral, discouraging the attempt, as the ships could render no assistance, in consequence of the town being retired so far within the forts, and a barrier of vessels sunk at the entrance; and that a great loss of life would prevent the squadron from proceeding upon other services, which they were fully to consider. Being thus made responsible for ulterior proceedings, and as it was not possible to storm such an entrenchment with four thousand* men, without considerable loss, and as the onus of preventing other services was to be thrown upon any such loss, the rear-admiral and colonel hesitated in their proceedings, and felt themselves obliged to abandon the attempt.'*

There are inaccuracies in this statement, though not essential ones. The singular should have been used instead of the plural number; for this communication was directed to be submitted, not to the joint consideration of the 'rear-admiral and colonel,' but, of course, solely to that of the latter, who was alone responsible. Circumstances, unnecessary to be related here, required that the utmost deference should be paid to every counsel and advice coming from the source from which the above emanated. But an effort was nevertheless made to obtain some counterbalancing sanction for persevering in the offensive. A council of *commandants of brigades and corps* was called; but this expedient was not attended with the desired result. They rather coincided in the general tenor of the dissuasive communication submitted for their consideration; and this, it must be acknowledged, was but reasonable, since the naval chief by whom it was transmitted was, beyond all comparison, of the highest relative experience and distinction, and the only person then with the expedition to whom the ultimate views of government were confidentially known. It is clear, then, that to the officer who had only accidentally fallen into military command, there now scarcely remained any choice. The troops were withdrawn early next morning to ground of more security a short distance in the rear. On the following day they fell back a very few miles farther, this tardiness of movement being resorted to in the hope

* This is an over estimate by at least three or four hundred bayonets.

that

that the enemy might be induced to descend from their vantage ground. This, however, not taking place, the division was re-embarked on the 15th, leaving not a man behind, except those who were no longer able to be removed, and bringing away the captured guns and a considerable number of prisoners. Of course there is always a feeling of disappointment on occasions of this sort. The exaggerated hopes of our military were not fulfilled; but the objects of government were a great deal more than accomplished; since all they ever expected from the detachments was a diversion in favour of the northern frontier, where it alone was meant to press the war with vigour. And, accordingly, it must ever be matter of unfeigned satisfaction to those who, from a paramount sense of duty, felt bound to recede from this inviting attempt, that, in doing so, they were eventually honoured by an express and most unqualified approval on the part of the highest authorities in the state. Our author's remarks on this subject are just, and, in the main, we fully coincide in them. But we here beg to observe, that we should not have presumed to enter so minutely into this detail, were it not for the degree of publicity previously given to the subject of it, in Relfe's *Historical Memoirs*, relative to a distinguished rear-admiral who served on that station,—from which production we have already quoted some sentences.

But speaking generally, and without the least reference to this operation, the prudence and sound judgment evinced in the conduct of which have been so fully recognised and established, we would venture to suggest, that the problem, after all, to be solved, in embryo or unessayed projects of any pith and moment, is the distinction between difficulty and impracticability—between temerity and a just and well-grounded boldness,—to confound, rather than define which, is an error into which the unpractised will ever be prone to fall. War is no mere game of physical calculation: there is another, and, in some respects, even a higher department of it;—and, on this point, we would adventure a general maxim—that when numbers are arrayed against skill, the former should be made to purchase at the dearest possible rate the slightest trophy or advantage. To regular troops, such things may with safety be conceded—they know how to estimate, and will not presume on them. But permit a mob, or popular, or ill-organised assemblage of any kind, to discover the slightest ground of confidence in their effectiveness, and you forthwith bestow on them all the formidability of which they are susceptible. If once allowed to cherish a prospect of success,—if their *morale* be not kept thoroughly down—physical odds, unless egregiously misdirected indeed, must eventually tell. In such contests, no cost ought to be spared for the purpose of preserving, as long as possible, the reputation

reputation of superior prowess which usually precedes and facilitates the progress of an invader. To retire without accomplishing an avowed purpose, is to dispel this charm, and relinquish a powerful auxiliary; and though, in doing so, some present husbanding of resources may doubtless be effected, the entailment of an accumulated loss on many subsequent occasions, will be a yet more inevitable consequence.

During these different occurrences, as we are informed, the perfect unanimity which prevailed between both branches of the service was most gratifying to observe. The navy, though unavoidably not so prominently brought into play as their comrades of the army, bore, as they always do, their full share in every toil and every danger; nor can any one present fail to recollect their truly generous and enthusiastic exertions. Thus, it is trusted, will it ever be—for ours is an amphibious power, depending, in no ordinary sense, for its efficiency, permanence, and extension, on the undisturbed concert and zealous co-operation of these principal executive arms of the state.

We took occasion, a page or two back, to corroborate a statement, extracted from certain *Historical Memoirs*, lately published by a Mr. Relfe, and which we had very accidentally met with. Now, we think it quite indispensable to guard ourselves from being supposed to give the slightest assent to some other parts of that performance, reflecting, as they seem to us to do very seriously, on the professional characters of different individuals, whose names are incidentally mentioned in them. We particularly allude to certain passages which tend directly, and without disguise, to deny to the gallant soldier, whose fall there was such good reason to deplore, the credit of the principal action, performed by the troops under his orders. We have before us the MS. statements of gentlemen personally and intimately acquainted with every one of the material circumstances connected with this matter; but it may not be discreet, at present, or in this place, to enter upon such details: we shall, therefore, content ourselves with observing, that from whatever quarter the writer here noticed, *en passant*, may have derived his information, we are perfectly satisfied that such an unheard-of pretension, as that which he brings forward, neither did nor could have received the slightest countenance from the eminently-meritorious naval officer thus unjustly and invidiously eulogized, at the expense of a gallant brother in arms that is no more. But it is not, we persuade ourselves, in the power of any obscure detractor to tear the laurels from the tomb of one who paid for them so dear a forfeit, and to whose memory the decrees of his sovereign and of his country have awarded them.

We have now to revert to the conduct pursued by the British troops whilst in possession of the city of Washington,—the propriety of which has been so violently questioned on both sides of the Atlantic; and the character of which has, we are quite sure, never been fairly investigated, or brought before the public, in its true light. On this subject our Subaltern, after describing with a faithful pen the terrific hurricane and wide-spreading conflagration which marked this brief period, hazards the following assertion :—

‘ Had the arm of vengeance been extended no further, (than to the destruction of a few public buildings,) there would not have been room given for so much as a whisper of disapprobation; but, unfortunately, it did not stop here. A noble library, several printing offices, and all the national archives, were likewise committed to the flames, which though, no doubt, the property of government, might better have been spared.’

We are sorry that a writer, possessed of our author’s sense and judgment, should have inconsiderately joined in such an outcry as this. He ought to have paused and reflected well ere he thus ventured to give additional currency to the disingenuous suppressions and exaggerations of our enemy, and to echo the unscrupulous flourishes of republican rhetoric. No doubt, the destruction of a public library, (however inconsiderable,) however unconsciously it may have been done,—or of national archives of however recent origin, (if, indeed, the latter had any existence at all,) must ever, under any circumstances, be a subject of unfeigned regret. But to what did this invaluable library amount? It consisted of copies of the proceedings of legislative bodies whose commencement, as we all know, dates not very far back, and of all which duplicates were, doubtless, attainable with no difficulty. As for the monuments of the arts and models of taste, so vauntingly displayed at the time, it was a mere mockery, sent forth to catch the eye of the casual European reader.—It is well known that such things are not as yet of the growth of the New World, and that not one *chef-d’œuvre* of the arts, until Chantrey’s statue of Washington went out in 1827, was ever seen within the whole precincts of the United States! Neither the government nor the people of those countries have money enough to throw away on such embellishments, even were they disposed or qualified to appreciate them; and accordingly whenever an American student in painting or sculpture finds himself likely to reach eminence, he is sure to settle on this side of the Atlantic. Were Jonathan at all a virtuoso, he would keep his Wests, Leslies, and Newtons to himself.

To return to this conflagration at Washington,—it was, in reality, a measure of the cabinet and not of the camp: but even if this had been otherwise, we positively deny that the smallest portion of blame could have attached either to the troops or to their general. Let it be remembered that our army, after sustaining a long and toilsome march, and a sharp conflict, arrived in Washington during the night; that they were received, not by a deputation of civic authorities, anxious to preserve the capital of a great nation from injury, but by a useless discharge of musketry from the suburbs, directed against a flag of truce; that there remained not a single functionary, nor even a menial domestic, in charge of any one of those intellectual treasures, subsequently spoken of in such elaborate and high-sounding phrases; and that of the existence of any such treasures, as connected, at least, with the senate-house, our people were wholly and unavoidably ignorant. When, therefore, the torch was applied to that structure, not the most remote purpose was entertained of consuming books or written documents. These, though so very far from being of the value assigned to them, were involved in the demolition, purely by accident; and it is incorrect, in the highest degree, to attribute one particle of the mischief to a desire of extending too far the ‘arm of vengeance.’ Besides, were not the president and his officers mainly to blame, whose alarm for their own personal safety appears to have engrossed all their thoughts, to the utter forgetfulness of the ill-fated city and all that it contained, whether buildings, stores, archives, or inhabitants? We believe that there is but one other instance on record, at least in modern times, of a large town being deserted, on the approach of an enemy, by its government, without the precaution having been taken of deputing some authority, municipal or otherwise, to mediate with the victors. Nay, even America herself furnished, at this very time, an unanswerable proof of the efficacy and prudence of the course of conduct which it is customary to adopt on such occasions. On the day after our entrance into Washington, a deputation arrived from Alexandria, a similar one having proceeded to the officer commanding in the Potomack, the object of both being to propose terms for the preservation of such of the public property in that city as was inapplicable to the purposes of war. The terms were immediately agreed to, and Alexandria escaped what (in consequence, in a great degree, of the culpable abandonment of their posts by the magistrates of Washington) befel the less fortunate capital.

Of these not unimportant accessories to the transaction under review, nothing was known in Europe—nor, indeed, was any

attempt at explanation made; and, accordingly, it became a theme of general reprobation, wherever the subject happened to be mentioned: for the first impression on the public mind was effected by the protests of the republican ministers, who promptly and adroitly availed themselves of the opportunity this afforded of withdrawing attention from a catastrophe brought about by their own disgraceful improvidence, and of covering, at the same time, with obloquy, as far as in them lay, those who had been so instrumental to their discomfiture, and whom, therefore, under this pretext, they were but too glad to designate as 'the military vandals of Great Britain.' A first impression with the public, even more than with individuals, is difficult to obliterate. Their high-sounding though most uncandid statements were everywhere read with avidity; they remained unanswered, because those who could have answered them were otherwise employed; and, as not a word was dropped touching any previous provocation—or of their indifference to, or rather contemptuous reception of the remonstrances presented to them—as the very existence of all such circumstances was kept carefully and sedulously out of view,—the whole transaction assumed an aspect widely different from that which the impartial justice of posterity will approve.

Even if the unintentional destruction alluded to had been really of the extent represented in these inflated accounts, and had been totally unpalliated by the circumstances we have already referred to, still there would have been no want of matter to be adduced, which, to say the least of it, must have gone very far, indeed, towards its justification. In the depth of the winter of 1813-14, the Americans made predatory incursions along the borders of Canada, *plundering, and burning to the ground*, York Town, Newark, Long Point, and St. David's. Not satisfied with this, they drove, in wanton and capricious cruelty, the inhabitants of at least one of these places from the very site of their former homes, reducing them to a state of misery of which no one, unacquainted with the rigours of a Canadian winter, can form any adequate conception. Men, women, and children, wandered through the snow, till numbers sank down and perished; whilst the few who made their way to other habitable spots, arrived in a condition more deplorable than the imagination is willing to pourtray. It is absurd to say that it was the duty of the colonial government to defend its subjects against such outrages. A thinly-settled frontier, of fifteen hundred miles in extent, could not be covered by any force which has ever yet been employed in those parts. And thence the whole population of Canada, which happens to lie along that line, was exposed to a repetition of these barbarities as often as it might suit the disposition of our opponents to inflict them. The governor-

governor-general was extremely unwilling to resort to the cruel expedient of reprisals, and referred the matter, with the utmost earnestness, to the cabinet of Washington. But his representations were met, on every occasion, by replies at once vague, evasive, and unsatisfactory. Reparation for the past, and indemnity for the future, were equally denied to him; and he was driven at last to adopt the only measure which held out any prospect of success. He laid the case before the admiral commanding on the station, and accompanied his statement with a request that measures of fully corresponding severity should be exercised towards any places which might fall into his hands. And it was in consequence of this appeal, and for the purpose of convincing our antagonists that a war of destruction would be to them not less injurious than to their enemies, that the public buildings of the capital were destroyed. It is true, that on the Canadian frontier an agreement had been entered into towards the latter end of July, that retaliatory measures should cease on both sides; but, of that agreement, neither Sir Alexander Cochrane nor General Ross were as yet aware.

But, say the Americans, the devastation perpetrated in the two cases bore no comparison in amount. Be it so; but is the principle at all affected by this consideration?—The plunder of a cottage violates no less the laws of nations and of humanity, than the destruction of a palace; and it matters not one iota, as far as the rule of abstract right is concerned, whether the private dwellings in smaller towns, or the more costly fabrics of a capital, be given up to the fury of a licentious soldiery. This, in both cases, is an exercise of power against which every right-minded person will exclaim. But it is beyond a question, that to that party, whichever it may be, with whom the system had its commencement, the chief share, if not the whole of the blame, must attach. We have only to add that the work of demolition was begun by the enemy themselves, who set fire, with their own hands, to their shipping, bridges, arsenals, dockyards, and magazines,—the whole of which were in flames and exploding long before the first of our detachments reached these points. One word further on this subject, and we have done. The president, in his message to congress immediately subsequent to this event, charges Great Britain generally, or her forces, with an avowed purpose of ‘trampling on the usages of civilized warfare,’ and ‘of plunder and wanton destruction of *private property*.’ It is true that some excesses had been committed in desultory affairs on the sea-board, by small parties belonging to another force, and at an *antecedent period*, sufficient to give a colouring of truth to these accusations;—but the words were naturally supposed to refer solely

solely to the troops whose conduct was then the subject of general discussion ; no words, if such was the intention of the president, could have been more undeserved, or conveyed an imputation diametrically the reverse of well-founded—inasmuch as it had been admitted on all hands, by the most violent partisans and by official and incontrovertible reports to the American government, that *private property* was by us, upon this occasion, held sacred. And what rendered the excellent conduct of our troops the more remarkable was, that no sooner did the British army retire from the city, in which they had observed the most exemplary discipline, than the native populace broke loose and commenced a general pillage, which was not put an end to until a considerable armed body was brought from Alexandria and George Town for that purpose. This stands on record in the published report of Commodore Tingey, which at the same time most candidly alludes to the opposite line of conduct adopted by the British. Nor, in continuation of this commendable forbearance, was the smallest contribution exacted from the inhabitants, although the customs of war, and the *specific authority* of our own government, had fully authorized it. Nay, this punctiliousness was carried so far (and, under the circumstances, judiciously so, in our opinion), that payment was made at the market price for the provisions required for the troops. These remarks, however, are thrown out, certainly not with the slightest wish of perpetuating alienation or dissension between kindred nations,—feelings which it were much better had never existed,—but solely in an exculpatory sense ; since, for our own parts, we must ever deprecate the whole system of petty and vindictive warfare.

We stated, at the commencement of this article, that the expedition, having concluded its period of service on the shores of the Chesapeake, directed its course towards New Orleans. Touching at Jamaica, it was joined by large reinforcements from England ; and on the 23rd of December, after a tedious and harassing navigation of eighty miles in open boats, the first division, consisting of about thirteen hundred men, effected its landing on the left bank of the Mississippi. The disembarkation took place at an early hour in the morning, in the midst of an almost impassable morass, out of which the little column was immediately moved into the open country ; where, taking up a position as favourable as circumstances permitted, the troops piled their arms, and a bivouac was formed. In the mean time, the report of our arrival had reached General Jackson, who prepared to attack, and, if possible, destroy the advance as yet unavoidably without support. The day passed, however, without any other disturbance than the appearance

appearance of a few dragoons, who were immediately driven back by a fire from the piquets. 'And,' continues our author,

'Darkness having set in, the fires were made to blaze with increased splendour, our evening meal was eat, and we prepared to sleep. But about half-past seven o'clock, the attention of several individuals was drawn to a large vessel, which seemed to be stealing up the river till she came opposite to our camp; when her anchor was dropped, and her sails leisurely furled. At first we were doubtful whether she might not be one of our own cruisers which had passed the port unobserved, and had arrived to render her assistance in our future operations. To satisfy this doubt, she was repeatedly hailed, but returned no answer; when an alarm spreading through the bivouac, all thought of sleep was laid aside. Several musket shots were now fired at her with a design of exacting a reply, of which no notice was taken; till at length having fastened all her sails, and swung her broadside towards us, we could distinctly hear some one cry out in a commanding voice, "Give them this for the honour of America." The words were instantly followed by the flashes of her guns, and a deadly shower of grape swept down numbers in the camp.

'Against this dreadful fire we had nothing whatever to oppose. The artillery which we had landed was too light to bring into competition with an adversary so powerful; and as she had anchored within a short distance of the opposite bank, no musketry could reach her with any precision or effect. A few rockets were discharged, which made a beautiful appearance in the air; but the rocket is an uncertain weapon, and these deviated too far from their object to produce even terror among those against whom they were directed. Under these circumstances, as nothing could be done offensively, our sole object was to shelter the men as much as possible from this iron hail. With this view, they were commanded to leave the fires, and to hasten under the dyke. Thither all, accordingly, repaired, without much regard to order and regularity, and laying ourselves along wherever we could find room, we listened in painful silence to the scattering of grape shot among our huts, and to the shrieks and groans of those who lay wounded beside them.

'The night was now as dark as pitch, the moon being but young, and totally obscured with clouds. Our fires deserted by us, and beat about by the enemy's shot, began to burn red and dull, and, except when the flashes of those guns which played upon us cast a momentary glare, not an object could be distinguished at the distance of a yard. In this state we lay for nearly an hour, unable to move from our ground, or offer any opposition to those who kept us there; when a straggling fire of musketry called our attention towards the piquets, and warned us to prepare for a closer and more desperate strife. As yet, however, it was uncertain from what cause this dropping fire arose. It might proceed from the sentinels, who, alarmed by the cannonade from the river, mistook every tree for an American; and till this should be more fully ascertained, it would be improper to expose the

the

the troops, by moving any of them from the shelter which the bank afforded. But these doubts were not permitted to continue long in existence. The dropping fire having paused for a few moments, was succeeded by a fearful yell; and the heavens were illuminated on all sides by a semi-circular blaze of musketry. It was now clear that we were surrounded, and that by a very superior force; and, therefore, no alternative remaining, but, either to surrender at discretion, or to beat back the assailants.'

We regret extremely that our limits do not permit us to extract the vivid and remarkable description of this singular contest. We must content ourselves by observing that it is given in our author's happiest style, and that the affair terminated in the total repulse of the enemy at all points.

All this while the most strenuous exertions were making to bring the rest of the troops into the field. This, considering the immense extent of the navigation; was, indeed, a Herculean task, probably not paralleled throughout the war, and in executing which the navy of all ranks surpassed even themselves. The superintendence of this arduous operation devolved on Admiral Malcolm. It consisted in fact of successive voyages in open boats, generally overladen with guns, troops, provisions, or ammunition, and continued during about thirty days and nights. The toils and privation attendant on such a duty can scarcely be exaggerated by any description. By the 25th, these exertions had so far succeeded, that the whole force was in position, and on that day also Sir Edward Pakenham arrived from England, to take upon himself the chief command. A series of operations* now ensued, of which it is the less necessary for us to enter into a detail, that they are well and minutely described in the Narrative; but there are points upon which we feel bound to touch,—we mean some statements affecting the character of the distinguished officer, under whose orders a considerable portion of those operations took place.

We need scarcely observe, that an opinion generally prevails that this officer lost his valuable life at a moment when his troops had sustained a signal defeat. To contradict this notion in the most positive terms will, doubtless, appear to many an act of singular audacity. Yet we consider ourselves fully borne out in doing so—for if a large portion of a fortified position be carried, and there is reason to presume that from thence it becomes optional with the assailants to render the remainder indefensible, it can

* It may, perhaps, be right to premise, that the force remaining to us, after all losses, scarcely amounted to six thousand bayonets, of whom some hundreds, belonging to West India corps, were of the most inefficient description. The American army may be computed at seven thousand. Their total loss did not exceed four hundred and forty, by their own returns. This, however, does not include about three hundred killed or taken in their gun-boats.

scarcely

scarcely be contended that the arrangements of attack have not in a most essential degree answered their end. But let us hear what the chief of the American army says on this subject in his official account of the operations:—

‘Simultaneously,’ says he, ‘with his advance upon my lines, he had thrown over in his boats a considerable force to the other side of the river. These, having landed, were hardy enough to advance against the works of General Morgan; and what is strange and difficult to account for, at the very moment when their entire discomfiture was looked for, with a confidence approaching to certainty, the Kentucky reinforcements, in whom so much reliance had been placed, ingloriously fled, drawing after them, by their example, the remainder of the forces; and thus yielding to the enemy that most formidable position.’

On being recalled from this position, in the afternoon, our people brought away with them two six-pounders, which, strange to say, had found their way thither from Saratoga, where they had been originally captured from us almost half a century before. But in this mode of expressing himself General Jackson does not, we think, evince his usual sagacity. The mere fact of a British flotilla, consisting of fifty barges, pinnaces, &c., being on the Mississippi, appears to us to have been a scarcely less adequate cause of apprehension on his part, than even the flight of the American troops, and the loss of his batteries in that quarter. Some few of our barges were armed with carronades, and were introduced into the river by means of the excavation of a canal for that purpose: an excellent project, for the first idea of which the general was, we believe, indebted to the admiral-in-chief, Sir Alexander Cochrane. This most laborious undertaking was not completed till immediately before the assault on the left bank was given. The Americans had not a sod of earth thrown up, which was not open in the rear. Thenceforth, therefore, their tenure of entrenchments, all of which appuied upon the river, must have been very insecure; since, if our heavy losses had permitted it, and it had been judged fit to attack them again in front, troops might, at the same time, have been thrown round in the boats on the reverse of the points assailed. The fire also of the captured batteries then available to us, must, of course, have powerfully supported any operation of this sort, which it might have been deemed expedient to undertake,—and which, we have no doubt, would have been undertaken, were it not, as was before observed, for the greatly-diminished means now at the disposal of the officer who had succeeded to the command.

But the dispatch of our successful antagonist goes on to treat of this matter in very explicit terms. It is a public document, open

open to the world, and to its contents we refer our military readers, so many of whom will be far better able to assign to it the degree of consideration it may be entitled to, than we can pretend to be. For our own parts, the chief regret we feel on this occasion is on account of the brave men who perished; and particularly Generals Packenham and Gibbs; the former, beyond all question, one of the most promising of the rank to which he had attained, and with the rare advantage of having been trained under the immediate eye of the Duke of Wellington—the latter not less admired for his conduct in the field, than beloved for his many amiable qualities in private life. To give the tribute which we know to be due to these officers, might not be relevant in these pages—honour be to their manes! With respect to the failure itself, however mortifying to the individuals engaged in it, it is, in a national point of view, a subject of the most perfect indifference, inasmuch as a treaty of peace, already signed and ratified, must have rendered our conquest, had it been obtained, utterly fruitless.

Before concluding this article, we have to express our regret that no adequate or satisfactory histories have yet appeared of the two wars in which we have been engaged with our transatlantic descendants. They were very different in their origin and their results. The last was, on our part, purely defensive, and that object was completely attained, without the necessity of laying down or acting on any great or combined plans. But the former offers a noble field, and is pregnant with instruction. One remark we must here be permitted to make—the Indian tribes on the borders of the United States are now fast dwindling into insignificance. Henceforth it can answer no important purpose to enlist them in the quarrels of either of the rival nations. It is not by nibbling at the rind, or exasperating the feelings of a hostile people, that a great contest is likely to be brought to the happiest issue. For this opinion we think we could offer substantial reasons. And, at all events, the hatchet and the scalping-knife must ever be unworthy auxiliaries (and we are quite sure they are feeble ones) of a British army. It should be some great political necessity indeed which can ever palliate, much less justify, such an alliance.

We have already exceeded our limits, and have now only to recommend this little work to the notice of our readers. The style is easy and flowing, the incidents clearly and forcibly narrated; and though we dissent from some personal observations, before indirectly alluded to, and cannot by any means approve of the author's views of conducting a future American war, (which, let us hope, may be very distant,) we, nevertheless, thank him for the light which

which he has thrown on some of the most interesting portions of the war that is passed.

From the literal and real to the fabulous is not always so abrupt a transition as might be anticipated. We have thus given a detailed opinion on a distinctively professional essay, and in doing so, occupied, perhaps, more than a due space. And yet, before finishing this paper, we are tempted to add a hasty, and (if the term be allowable) parenthetical notice of a production which has lately appeared, and which, though under the garb of a novel, is, by no means, without affinity to the subjects generally treated of in the preceding pages. It may, in fact, be considered as a 'military novel,' if the coining of such an appellative may be conceded to us: the principal events recounted are all of that character—the periods, too, comprehended in the two works are almost the same—and; in short, the only or nearly the only difference is, that the novelist, in the exercise of his special privilege, engrafts upon well-known facts certain romantic and high-coloured incidents, imaginary or otherwise, arising out of scenes of deep public interest, familiar to every recollection, and which we here find traced by a pen that we cannot refrain from regarding as that of an eye-witness.

The work now briefly referred to is entitled 'Cyril Thornton.' The profoundly distressing catastrophe, with an account of which it commences, presents, we are free to admit, a picture of no common power and effect, and is evidently from the pencil of no unpractised artist; but we, nevertheless, think it ill-chosen, or, at least, injudiciously placed. To us it seems but too well calculated to cloud irremediably the mind of a sensitive youth, and to quell for evermore the aspirations and buoyancy of his spirit. It is not without difficulty, therefore, that we reconcile ourselves to the idea of his advancing after so heart-rending a blow, with apparently unchecked alacrity, into the career of life. But we need not dwell on this.

'Cyril Thornton' tells his own story, and is content to describe himself merely as an intelligent, warm-hearted, ardent young man, of generally honourable intentions, though, by no means, always correct conduct:—sensitive, and of a keen susceptibility in his affections, the usual result of this tone and temper of mind awaits him. The three or four leading female characters of his tale are, to our perception, exquisitely delineated and distinguished. His adventures as a soldier lie chiefly in America and the Peninsula; and in describing these, so little has he overstepped, if at all, the striking and happy semblances of truth, that the most conversant in such transactions will find a difficulty in

in persuading themselves, that they do not present a portion of auto-biography, rather than the illusive creations of fancy.

The writer, unlike most of his rivals in this walk, crowds his pages with incident, and hurries his hero through a rapid succession of moving accidents by 'flood and field.' But seldom, we must confess, are they unskilfully introduced, or without exciting a lively sympathy; still more rarely are they recited without an ease, strength, and felicity of expression, calculated to sustain a very favourable impression of the ability of the writer. In his essays of the tragic mood, we are not prepared to say that there is any deficiency of point, pathos, or effect—but the tact evinced in some of those of a lighter and more playful tendency has our decided preference. The following is quoted as characteristic of the style of these volumes, and is selected, not on account of any marked or intrinsic merit above other passages in the same strain, but because of its relation to the subject-matter of this article.

'I was seated between Laura Willoughby and Miss Culpepper, and, as may be supposed, was led by the bent of my inclinations to bestow the larger share of my attention on the former. This division of my favours, however, I found scarcely practicable. Miss Culpepper was not one of those young ladies who throw the whole burden of conversation on the gentleman, and in case he is rather taciturn, sit moping and silent by his side, until restored to freedom and loquacity by the departure of the ladies for the drawing-room. Finding, perhaps, that I was engrossed with Miss Willoughby more than impartial justice required, she proceeded to enforce her claims to attention by such queries as the following:—

'Pray, Captain Thornton, is it long since you returned from Spain?'—'About four months.'—'Pray, were you ever in a battle?'—'I have had that honour.'—'And were you wounded?'—'Very slightly.'—'But you were taken prisoner?'—'I have been so unfortunate.'—'In what battle?'—'Roleia.'—'Oh, pray, describe it to me. I cannot possibly understand what people do in a battle? Pray tell me all about it.'—'I fear it would be rather a difficult task to make it intelligible.'—'Oh, not at all. I am very quick, I assure you; now, suppose the table to be a field of battle, I am sure you can make it quite plain, and you will so oblige me. Come now begin.'—'Well, since you insist on it, I will endeavour. Suppose, then, that sirloin of beef to be a height, on the top of which there is erected a battery. This, the English, who are represented by these dishes, wish to take, and the French, who are those dishes opposite, wish to defend. Then the English send this venison-pasty, which is a brigade of infantry, to attack the sirloin of beef, which, as I said before, is a hill, with a fort on the top of it. The French seeing this, send up that dish of maintenon cutlets as a re-in-

forcement.

forcement. That capon is the Duke of Wellington, who immediately directs these chickens, which are the light cavalry, to charge the enemy in flank. These partridges are the French flying artillery, which that calf's-head, which is the French general, orders forward to act as a *point d'appui* to that dish of beef-à-la-mode, which these maintenon cutlets—no, the harico opposite, is about to attack. Thus you see the battle is fairly begun. The partridges, you observe, have opened a heavy fire on the chickens and stewed duck, which are advancing with the courage of lions to the charge, and the French general is riding up and down the table—I mean the field, attended by these butter-boats, which are his aides-de-camp; and this mustard-pot, which is the quartermaster-general. But I fear, after all, I have not succeeded in making the plan of the battle quite intelligible.—‘Oh, perfectly, I assure you. Pray go on, I am quite interested I declare.’ Luckily for me, however, the dishes were in the act of being removed, and this change of the *matériel de guerre*, having thrown all the operations of the battle into confusion, a cessation of hostilities was found necessary.—*Cyril Thornton*, vol. ii., p. 373—376.

We know not whether either of these authors will be flattered, when we say, that we read ‘*Cyril Thornton*’ with a lively suspicion that it was from the pen of ‘the Subaltern.’ We have since discovered that such is not the case; and perceive, that the writer of the novel announces ‘*A Narrative of the Peninsular Campaigns*,’—in which he must be prepared to encounter closer comparison with his brother-author; and from which we are certainly prepared to expect a great deal, both of entertainment and instruction.

ART. XI.—*Narrative of an Attempt to reach the North Pole, in Boats fitted for the purpose, and attached to His Majesty's Ship Hecla, in the year 1827, under the command of Captain William Edward Parry, R.N., F.R.S., and Honorary Member of the Imperial Academy of Sciences at St. Petersburg.* Published by authority of his Royal Highness the Lord High Admiral. London. 4to. 1828.

THE ‘attempt’ which is here described, though unsuccessful, is of so bold and daring a character, that it will stand as a record to the latest posterity of the patient, persevering, energetic, and undaunted conduct which British seamen are capable of displaying, in the most difficult, discouraging, and dangerous circumstances, when under the command of prudent and intelligent officers in whom they have entire confidence. It will stand also as a noble monument to future ages, of the heroic and enterprising spirit of the distinguished officers who directed the energies of these brave fellows. It

It is almost superfluous to say, that the conduct of Captain Parry on the late, as on all former occasions, appears to have been above all praise. That conduct has frequently been put to trial in the most arduous and critical situations, but in none, perhaps, where prudence, foresight, skill, and mild but strict discipline, were more strongly required than on the enterprise we are about to speak of. It appears to us, indeed, after a careful perusal of the narrative, that had any one of these qualities been wanting in the commander, it is more than probable not a man would have returned to tell the melancholy catastrophe of the Polar Expedition. Let but any one conceive for a moment the situation of two open boats, laden with seventy days' provisions, and clothing for twenty-eight men, in the midst of a sea covered nearly with detached masses and floes of ice, over which these boats were to be dragged, sometimes up one side of a rugged mass and down the other; sometimes across the lanes of water that separated them; frequently over a surface covered with deep snow, or through pools of water;—let him bear in mind that the men had little or no chance of any other supply of provisions than what they carried with them, calculated as just sufficient to sustain life,—and consider what their situation would have been in the event, by no means an improbable one, of losing any part of that scanty stock;—let him also recollect that they were exposed to all the vicissitudes of a climate whose temperature did not much exceed, and was sometimes below, the freezing point, in the midst of heavy rains and snow, in which, for forty days or more, out of the sixty-three passed in this manner, nothing was visible all around but the sea, thus covered with these straggling masses of ice, and overhead a murky sky—let any one try to imagine to himself a situation of this kind, and he will still have but a faint idea of the exertions which the men under Captain Parry had to make, and the sufferings and privations they had to undergo. That, under such circumstances, the expedition should have failed, is less wonderful than that it should have returned with every officer and man, in nearly as good a state of health as when the adventurous band quitted their ship and took to the boats. There is something in the failures of Captain Parry that compensates the want of success, and that reconciles us to the disappointment.

Having first laid before our readers a brief abstract of the proceedings in the boats, we shall then offer a few general observations on this and the other arctic voyages, which have been so ably conducted by Captain Parry and his associates.

The object of the present expedition was to reach the North Pole by means of two sledge-boats, so constructed as either to travel over the ice, or sail or row through spaces of open water,

as circumstances might require. Captain Parry's old ship the *Hecla* was appointed to carry him and his companions to Spitzbergen, and there to wait in some secure harbour for his return. The vessel left the *Nore* on the 4th of April, reached *Hammerfest* on the 18th, and on the 27th, having received on board a number of trained rein-deer (which proved useless), made sail to the northward. On the 14th of May, the *Hecla* was abreast of *Hakluyt's Headland*, when she was obliged to run into the main-ice for security in a heavy gale of wind. She remained beset and drifting about with the ice, chiefly to the eastward, for four-and-twenty days, when, on the 8th of June, she was liberated by a southerly wind dispersing the ice.

This detention was the more provoking, as the weather was delightful; 'I never remember,' says Captain Parry, 'to have experienced in these regions such a continuance of beautiful weather as we now had, during more than three weeks that we had been on the northern coast of Spitzbergen.' They had clear and cloudless skies, light airs, and a scorching sun. Twice he thought of leaving the *Hecla*, and taking to the boats, but her safety, in such a sea, if thus left with fewer than half her working hands, could not be reckoned upon for an hour; besides, he could not have known when or where to meet with her on his return. 'The nature of the ice,' he tells us, 'was beyond all comparison, the most unfavourable for our purpose that I ever remember to have seen. The men,' he continues, 'compared it to a stone-mason's yard, which, except that the stones (masses) were of ten times the usual dimensions, it, indeed, very much resembled.'

On reaching the Seven Islands, they were found to be all shut in by land-ice; but the party deposited on one of them, *Walden Island*, a store of provisions for their return. Captain Parry then stood on to the northward among loose and broken ice, in search of the main body, as far as $81^{\circ} 5' 32''$; but not finding anything like a field of ice, she stood back to the southward, and on the 19th of June discovered a bay on the north coast of Spitzbergen, in which the *Hecla* was anchored in latitude $79^{\circ} 55' N.$, longitude $16^{\circ} 54' E.$ It is named in the Dutch charts *Treurenberg Bay*; and was, no doubt, so called by the Dutch, in consequence of some great mortality among their whale-fishermen, which is sufficiently indicated by the number of graves on that melancholy shore.*

On the 21st of June, Captain Parry set out on his arduous, we might, perhaps, say perilous undertaking, with two boats named the *Enterprize* and *Endeavour*; Mr. *Beverly*, the surgeon, being

* *Treuren* is, to lament.

attached to his own, and Lieutenant (now Commander) Ross, accompanied by Mr. (now Lieutenant) Bird in the other; Lieutenant (now Commander) Foster being left in charge of the *Hecla*. At Little Table Island, the highest latitude of land known on the globe, they left a deposit of provisions for their return. The following extract will put the reader in possession of the mode in which this gallant party pursued their journey :—

‘ Our plan of travelling being nearly the same throughout this excursion, after we first entered upon the ice, I may at once give some account of our usual mode of proceeding. It was my intention to travel wholly at night, and to rest by day, there being, of course, constant daylight in these regions during the summer season. The advantages of this plan, which was occasionally deranged by circumstances, consisted, first, in our avoiding the intense and oppressive glare from the snow during the time of the sun’s greatest altitude, so as to prevent, in some degree, the painful inflammation in the eyes, called “snow-blindness,” which is common in all snowy countries. We also thus enjoyed greater warmth during the hours of rest, and had a better chance of drying our clothes; besides which, no small advantage was derived from the snow being harder at night for travelling. The only disadvantage of this plan was, that the fogs were somewhat more frequent and more thick by night than by day, though even in this respect there was less difference than might have been supposed, the temperature during the twenty-four hours undergoing but little variation. This travelling by night and sleeping by day so completely inverted the natural order of things, that it was difficult to persuade ourselves of the reality. Even the officers and myself, who were all furnished with pocket chronometers, could not always bear in mind at what part of the twenty-four hours we had arrived; and there were several of the men who declared, and I believe truly, that they never knew night from day during the whole excursion.*

‘ When we rose in the evening, we commenced our day by prayers, after which we took off our fur sleeping-dresses, and put on those for travelling; the former being made of camblet, lined with racoon-skin, and the latter of strong blue box-cloth. We made a point of always putting on the same stockings and boots for travelling in, whether they had dried during the day or not; and I believe it was only in five or six instances, at the most, that they were not either still wet or hard-frozen. This, indeed, was of no consequence, beyond the discomfort of first putting them on in this state, as they were sure to be

* Had we succeeded in reaching the higher latitudes, where the change of the sun’s altitude during the twenty-four hours is still less perceptible, it would have been essentially necessary to possess the certain means of knowing this; since an error of twelve hours of time would have carried us, when we intended to return, on a meridian opposite to, or 180° from, the right one. To obviate the possibility of this, we had some chronometers constructed by Messrs. Parkinson and Frodsham, of which the hour-hand made only one revolution in the day, the twenty-four hours being marked round the dial-plate.

thoroughly

thoroughly wet in a quarter of an hour after commencing our journey ; while, on the other hand, it was of vital importance to keep dry things for sleeping in. Being "rigged" for travelling, we breakfasted upon warm cocoa and biscuit, and after stowing the things in the boats and on the sledges, so as to secure them, as much as possible, from wet, we set off on our day's journey, and usually travelled from five to five and a half hours, then stopped an hour to dine, and again travelled four, five, or even six hours, according to circumstances. After this we halted for the night, as we called it, though it was usually early in the morning, selecting the largest surface of ice we happened to be near, for hauling the boats on, in order to avoid the danger of its breaking up by coming in contact with other masses, and also to prevent drift as much as possible. The boats were placed close alongside each other, with their sterns to the wind, the snow or wet cleared out of them, and the sails, supported by the bamboo masts and three paddles, placed over them as awnings, an entrance being left at the bow. Every man then immediately put on dry stockings and fur boots, after which we set about the necessary repairs of boats, sledges, or clothes ; and, after serving the provisions for the succeeding day, we went to supper. Most of the officers and men then smoked their pipes, which served to dry the boats and awnings very much, and usually raised the temperature of our lodgings 10° or 15°. This part of the twenty-four hours was often a time, and the only one, of real enjoyment to us ; the men told their stories, and "fought all their battles o'er again," and the labours of the day, unsuccessful as they too often were, were forgotten. A regular watch was set during our resting-time, to look out for bears or for the ice breaking up round us, as well as to attend to the drying of the clothes, each man alternately taking this duty for one hour. We then concluded our day with prayers, and having put on our fur-dresses, lay down to sleep with a degree of comfort, which perhaps few persons would imagine possible under such circumstances ; our chief inconvenience being, that we were somewhat pinched for room, and therefore obliged to stow rather closer than was quite agreeable. The temperature, while we slept, was usually from 36° to 45°, according to the state of the external atmosphere ; but on one or two occasions, in calm and warm weather, it rose as high as 60° to 66°, obliging us to throw off a part of our fur-dress. After we had slept seven hours, the man appointed to boil the cocoa roused us, when it was ready, by the sound of a bugle, when we commenced our day in the manner before described.

Our allowance of provisions for each man per day was as follows :—

Biscuit	10 ounces.
Pemmican	9 " "
Sweetened Cocoa Powder	1 " " to make one pint.
Rum	1 gill.
Tobacco	3 ounces per week.

Our fuel consisted entirely of spirits of wine, of which two pints

formed our daily allowance, the cocoa being cooked in an iron boiler over a shallow iron lamp, with seven wicks; a simple apparatus, which answered our purpose remarkably well. We usually found one pint of the spirits of wine sufficient for preparing our breakfast, that is, for heating twenty-eight pints of water, though it always commenced from the temperature of 32° . If the weather was calm and fair, this quantity of fuel brought it to the boiling point in about an hour and a quarter; but more generally the wicks began to go out before it had reached 200° . This, however, made a very comfortable meal to persons situated as we were. Such, with very little variation, was our regular routine during the whole of this excursion.'—p. 55—59.

This little adventurous party soon began to experience difficulties that, by ordinary minds, would, at once, have been set down for insurmountable. The sea continued to be covered with loose, rugged masses of ice, separated only by narrow pools of water, which obliged them constantly to launch the boats down one piece and haul them up another, having first unloaded, not only to lighten them, but to save the provisions from risk of loss. To these rugged masses next succeeded small floes of ice, on the upper surface of which were numberless irregular needle-like crystals, placed vertically, nearly close together, varying in length from five to ten inches, in breadth half an inch, but pointed at both ends, loose and moveable, fatiguing to walk over, and cutting the boots and feet. These floes were generally covered with high and irregular hummocks of ice, over which the boats were to be hauled, sometimes almost perpendicularly; not unfrequently the surface was covered with deep snow, into which, being half melted, the men slipped up to the knees at every other step, so that they were sometimes five minutes together in moving a single empty boat with all their united strength. Sometimes they had to drag the boats and sledges through large pools of water; and in all cases they had to make three or four journeys over the same floe, to bring up the boats, the sledges, and the provisions. The consequence of all this was, that they frequently advanced only two, sometimes three, and seldom more than four or five miles, directly north, in the course of a day. On one occasion, Captain Parry says, that after six hours of incessant toil and great risk, both to the boats and men, they had only accomplished about a mile and a quarter. Add to all this, the snow at one time fell heavily; and at others, the rain came down in torrents, keeping their clothes in a constant state of wetness. Once it continued without intermission for twenty-one hours, and was succeeded by dense fogs. 'I had never before,' says Captain Parry, 'seen any rain in the Polar regions to be compared to this.' In one place it required two hours of hard labour to proceed one hundred and fifty yards.

In

In another, after eleven hours of actual and severe labour, requiring the whole strength of the party to be exerted, the space travelled over did not exceed four miles, of which scarcely two were made good to the northward. But this slowness of apparent progress was not the worst of their misfortunes; small as it was, it was not real. On the 20th of July, Captain Parry says,

‘ We halted at seven A.M., having, by our reckoning, accomplished six miles and a half in a N.N.W. direction, the distance traversed being ten miles and a half. It may, therefore, be imagined how great was our mortification in finding that our latitude, by observation at noon, was only $82^{\circ} 36' 52''$, being less than *five* miles to the northward of our place at noon on the 17th, since which time we had certainly travelled *twelve* in that direction.’—p. 94.

This discouraging circumstance was carefully concealed from the men. On the 22d they had the satisfaction of observing that the ice had certainly improved; though the floes had not extended their surfaces so as to entitle them to be called ‘ fields,’ yet hopes were now entertained that their progress would be more commensurate with their exertions.

‘ In proportion, then, to the hopes we had begun to entertain, was our disappointment in finding, at noon, that we were in latitude $82^{\circ} 43' 54''$, or not quite four miles to the northward of yesterday’s observation, instead of the ten or eleven which we had travelled! However, we determined to continue to the last our utmost exertions, though we could never once encourage the men by assuring them of our making good progress, and, setting out at seven in the evening, soon found that our hope of having permanently reached better ice was not to be realized; for the floe on which we slept was so full of hummocks, that it occupied us just six hours to cross it, the distance in a straight line not exceeding two miles and a half.’—pp. 98, 99.

This laborious work was disheartening enough to the officers, who knew to what little effect they had been struggling, which, however, the men did not, ‘ though,’ says Parry, ‘ they often laughingly remarked that “we were a long time getting to this 83° !”’ The weather was in general sufficiently warm, though frequently wet and foggy, and the ice again became broken into small rugged patches.

‘ The weather improving towards noon on the 26th, we obtained the meridian altitude of the sun, by which we found ourselves in latitude $82^{\circ} 40' 23''$; so that, since our last observation (at midnight on the 22d), we had lost by drift no less than thirteen miles and a half; for we were now more than three miles to the *southward* of that observation, though we had certainly travelled between ten and eleven due north in this interval! Again, we were but one mile to the north of our place at noon on the 21st, though we had estimated our distance made good at twenty-three miles. Thus it appeared that, for the last

five days, we had been struggling against a southerly drift exceeding four miles per day.'—p. 102.

It now became,—indeed we may say it had for some time become,—hopeless to pursue the journey farther.

'It had, for some time past, been too evident that the nature of the ice with which we had to contend was such, and its drift to the southward, especially with a northerly wind, so great, as to put beyond our reach anything but a very moderate share of success in travelling to the northward. Still, however, we had been anxious to reach the highest latitude which our means would allow, and, with this view, although our whole object had long become unattainable, had pushed on to the northward for thirty-five days, or until half our resources were expended, and the middle of our season arrived. For the last few days, the eighty-third parallel was the limit to which we had ventured to extend our hopes; but even this expectation had become considerably weakened since the setting in of the last northerly wind, which continued to drive us to the southward, during the necessary hours of rest, nearly as much as we could gain by eleven or twelve hours of daily labour. Had our success been at all proportionate to our exertions, it was my full intention to have proceeded a few days beyond the middle of the period for which we were provided, trusting to the resources we expected to find at Table Island. But this was so far from being the case, that I could not but consider it as incurring useless fatigue to the officers and men, and unnecessary wear and tear for the boats, to persevere any longer in the attempt. I determined, therefore, on giving the people one entire day's rest, which they very much needed, and time to wash and mend their clothes, while the officers were occupied in making all the observations which might be interesting in this latitude; and then to set out on our return on the following day. Having communicated my intentions to the people, who were all much disappointed in finding how little their labours had effected, we set about our respective occupations, and were much favoured by a remarkably fine day.'—p. 102—104.

It is impossible to convey, by any abstract we could give, an adequate notion of the exertions, the fatigue, and the sufferings which these poor fellows appear to have undergone during these thirty-five days, in acquiring this highest point of latitude; nor can the reader imagine to himself anything so dreary, desolate, and forlorn, as a sea covered with floating pieces of ice, unrelieved by a single object of animate or inanimate nature, and far from any land. If the plate (facing page 90) be not exaggerated, it will express more than words can convey, the dark and dismal solitude where all nature seems still, and wrapt, as it were, in a death-like gloom. This dismal picture, aided by the following description of Captain Parry, may somewhat assist in conveying an idea of this dull and lifeless region of the globe:—

'As soon as we landed on a floe-piece, Lieutenant Ross and myself generally

generally went on a-head, while the boats were unloading and hauling up, in order to select the easiest road for them. The sledges then followed in our track, Messrs. Beverly and Bird accompanying them; by which the snow was much trodden down, and the road thus improved for the boats. As soon as we arrived at the other end of the floe, or came to any difficult place, we mounted one of the highest hummocks of ice near at hand, (many of which were from fifteen to five-and-twenty-feet above the sea,) in order to obtain a better view around us; and nothing could well exceed the dreariness which such a view presented. The eye wearied itself in vain to find an object but ice and sky to rest upon; and even the latter was often hidden from our view by the dense and dismal fogs which so generally prevailed. For want of variety, the most trifling circumstance engaged a more than ordinary share of our attention; a passing gull, or a mass of ice of unusual form, became objects which our situation and circumstances magnified into ridiculous importance; and we have since often smiled to remember the eager interest with which we regarded many insignificant occurrences. It may well be imagined, then, how cheering it was to turn from this scene of inanimate desolation, to our two little boats in the distance, to see the moving figures of our men winding with their sledges among the hummocks, and to hear once more the sound of human voices breaking the stillness of this icy wilderness. In some cases Lieutenant Ross and myself took separate routes to try the ground, which kept us almost continually floundering among deep snow and water. The sledges having then been brought up as far as we had explored, we all went back for the boats; each boat's crew, when the road was tolerable, dragging their own, and the officers labouring equally hard with the men. It was thus we proceeded for nine miles out of every ten that we travelled over ice: for it was very rarely indeed that we met with a surface sufficiently level and hard to drag all our loads at one journey; and in a great many instances, during the first fortnight, we had to make three journies with the boats and baggage—that is, to traverse the same road five times over.—pp. 67, 68.

The very highest point of latitude that was reached Captain Parry considers to be $82^{\circ} 45'$, on the meridian of $19^{\circ} 25'$ east of Greenwich. He says,—

‘At the extreme point of our journey, our distance from the Hecla was only one hundred and seventy-two miles in a S. 8° W. direction. To accomplish this distance we had traversed, by our reckoning, two hundred and ninety-two miles, of which about one hundred were performed by water, previously to our entering the ice. As we travelled by far the greater part of our distance on the ice three, and not unfrequently five times over, we may safely multiply the length of the road by two and a half; so that our whole distance, on a very moderate calculation, amounted to five hundred and eighty geographical, or six hundred and sixty-eight statute miles, being nearly sufficient to have reached the Pole in a direct line. Up to this period we had been particularly

particularly fortunate in the preservation of our health; neither sickness nor casualties having occurred among us, with the exception of the trifling accidents already mentioned, a few bowel complaints, which were soon removed by care, and some rather troublesome cases of chilblains arising from our constant exposure to wet and cold.'—pp. 104, 105.

The party rested on the 26th, which happened to 'be one of the warmest and most pleasant to the feelings,' though the thermometer was only from 31° to 36° in the shade, and 37° in the sun, but it was calm and dry.

'Our ensigns and pendants,' says Captain Parry, 'were displayed during the day; and severely as we regretted not having been able to hoist the British flag in the highest latitude to which we had aspired, we shall, perhaps, be excused in having felt some little pride in being the bearers of it to a parallel considerably beyond that mentioned in any other well-authenticated record.'

This is undoubtedly true; those stories collected by Mr. Daines Barrington and others, of persons having reached beyond this, being idle fictions. At this extreme point of their progress, nothing like land appeared in any direction, and a yellow ice-blink overspread the northern horizon; no bottom was found with five hundred fathoms of line; the temperature of the sea was 37°, and of the air from 31° to 36°. No living creature made its appearance, except one, and it was an *insect*, (a new species of *Aphis*,) a miserable little insect, 'in a very languid state; but it revived by the heat of the hand.'

In the afternoon of the following day, the party turned their faces to the southward, and Captain Parry observes, 'I can safely say, that, dreary and cheerless as were the scenes we were about to leave, we never turned homewards with so little satisfaction as on this occasion.' The difficulties for some time were not less than before, but they felt confident that, on returning to the southward, they should keep all they gained, and, probably, by the southern set, make a good deal more, which turned out to be the case.

On the first voyage to Baffin's Bay, we heard a great deal about red snow: Captain Parry, in returning on the present expedition, says,

'In the course of this day's journey we met with a quantity of snow, tinged, to the depth of several inches, with some red colouring matter, of which a portion was preserved in a bottle for future examination. This circumstance recalled to our recollection our having frequently before, in the course of this journey, remarked that the loaded sledges, in passing over hard snow, left upon it a light rose-coloured tint, which at the time we attributed to the colouring matter being pressed out of the birch of which they were made. To-day, however, we observed

served that the runners of the boats, and even our own footsteps, exhibited the same appearance; and on watching it more narrowly afterwards, we found the same effect to be produced, in a greater or less degree, by heavy pressure, on almost all the ice over which we passed, though a magnifying-glass could detect nothing to give it this tinge. The colour of the red snow which we bottled, and which only occurred in two or three spots, appeared somewhat different from this, being rather of a salmon than a rose colour, but both were so striking as to be the subject of constant remark.'—pp. 109, 110.

There is a curious and interesting paper in the Appendix, by Dr. Hooker, on the history of this substance, so frequently observed in various parts of the world, and named by some *Proto-coccus nivalis*, by others, *Palmella nivalis*, and by others again, *Uredo nivalis*. It has generally been thought, and Dr. Hooker seems to have no doubt, that it belongs to the order *Algæ*.

The further they proceeded southerly, the ice became thinner, and more frangible, the snow softer, and the surface more frequently covered with pools of water: the men were afflicted with chilblains, and the epidermis, or scarf-skin, in many peeled off in large flakes, from every part of the body. A large she-bear was killed, and the men spent the whole day in frying and devouring bear-steaks, the consequence of which was, that for several days many of them complained of violent pains: 'they all,' says Captain Parry, 'amusingly enough, attributed this effect to the quality, and not the quantity of meat they had eaten.' The officers, who ate less intemperately, suffered nothing of the kind. At length, on the 11th of August, in latitude $81^{\circ} 34'$, they reached the open sea, 'which was dashing with heavy surges against the outer masses,' and finally quitted the ice, after having sojourned upon it for forty-eight days.

The next day, steering through the fog by compass, they made the Little Table-island, right a-head; so correctly had their chronometers kept time under all the unfavourable circumstances of climate, and the shocks they must have received;* but it is most wonderful to what a degree of accuracy these instruments, so essential to navigation, have been brought. Here they soon discovered that the bears had devoured all the bread they had deposited. From hence they bore up for Walden Island, but the weather became stormy, with snow: they were obliged to trust to the compass, and reached it in the evening.

'Everything belonging to us was now completely drenched by the spray and snow; we had been fifty-six hours without rest, and forty-

* The chronometers employed on this occasion were made by Messrs. Parkinson and Frodsham, whose watches had performed so well on Captain Parry's former voyages.

eight at work in the boats, so that, by the time they were unloaded, we had barely strength left to haul them up on the rock. We noticed, on this occasion, that the men had that wildness in their looks which usually accompanies excessive fatigue; and though just as willing as ever to obey orders, they seemed at times not to comprehend them. However, by dint of great exertion, we managed to get the boats above the surf; after which, a hot supper, a blazing fire of drift wood, and a few hours' quiet rest quite restored us.'—p. 121.

The party again set sail, and on the 21st of August arrived on board the *Hecla*, 'after an absence of *sixty-one days*, being received with that warm and cordial welcome which can alone be felt, and not described.' Thus ended this memorable expedition.

'The distance traversed during this excursion was five hundred and sixty-nine geographical miles; but allowing for the number of times we had to return for our baggage during the greater part of the journeys over the ice, we estimated our actual travelling at nine hundred and seventy-eight geographical, or eleven hundred and twenty-seven statute miles. Considering our constant exposure to wet, cold, and fatigue, our stockings having generally been drenched in snow-water for twelve hours out of every four-and-twenty, I had great reason to be thankful for the excellent health in which, upon the whole, we reached the ship. There is no doubt that we had all become, in a certain degree, gradually weaker for some time past; but only three men of our party now required medical care, two of them with badly swelled legs and general debility, and the other from a bruise; but even these three returned to their duty in a short time.

'I cannot conclude the account of our proceedings without endeavouring to do justice to the cheerful alacrity and unwearied zeal displayed by my companions, both officers and men, in the course of this excursion; and if steady perseverance and active exertion on their parts could have accomplished our object, success would undoubtedly have crowned our labours.'—p. 128.

This expedition, we know, was reckoned by many as a dangerous, by some as a hopeless, and by others as an useless, undertaking. With regard to the danger, we know it was the opinion of naval men most conversant with the nature of it, that there was less risk than on either of the two preceding voyages for the discovery of a north-west passage, supposing always that proper precautions were used in the size, strength, and construction of the boats, in the selection and supply of provisions, and, above all, in the selection of officers and men, in whom perfect confidence could be placed.

To pronounce hopeless and absurd an experiment that has never been tried, is, *à priori*, one of the easiest modes of determining the character of any measure that does not suit the views, or is
above

above the capacity, of the 'Prophet of Evils.' Captain Parry did not adopt it without due consideration. Most of the navigators who had visited Spitzbergen represented the ice as by no means unfavourable for the project. Captain Lutwidge, the associate of Captain Phipps, describes the ice to the north-eastward as having the appearance of 'one continued plain of smooth unbroken ice, bounded only by the horizon;' in the chart of that voyage, the ice to the northward of the Seven Islands is represented as 'flat and unbroken;' and more to the westward, 'the main body quite solid.' Mr. Scoresby says, he once saw a field so free from fissure or hummock, that he thought, 'had it been free from snow, a coach might have been driven many leagues over it, in a direct line, without obstruction or danger.' Captains Franklin, Buchan, and Beechey, judging from their own experience, thought favourably of it, and Franklin actually drew up a plan for making the attempt and conducting it in his own person. Several intelligent and experienced whalers, too, all agreed that they considered the plan as feasible. The following is Captain Parry's explanation why the ice, over which he passed, was found to answer so little to the description he had obtained from such respectable authorities:—

'It frequently occurred to us, in the course of our daily journies, that this may, in some degree, have arisen from our navigators' having generally viewed the ice from a considerable height. The only clear and commanding view on board a ship is that from the crow's-nest; and Phipps's most important remarks concerning the nature of the ice to the north of Spitzbergen were made from a station several hundred feet above the sea; and, as it is well known how much the most experienced eye may thus be deceived, it is possible enough that the irregularities which cost us so much time and labour may, when viewed in this manner, have entirely escaped notice, and the whole surface have appeared one smooth and level plain.'—pp. 146, 147.

We cannot, however, subscribe entirely to Captain Parry's final conclusion: to wit, that, after much consideration, he cannot recommend any material improvement in the plan lately adopted; the plan of boats for such a service we think a bad one in all respects, and that a good stout sailing vessel would have been preferable. Judging from the state of the ice towards the end of July, at the spot from whence the party returned, which was scarcely able to bear the weight of the boats, its rapid disappearance, which was so complete that Captain Parry says, 'before the middle of August a ship might have sailed to the latitude 82°, almost without touching a piece of ice,' at which time, in fact, all was a clear open sea that had been covered with ice in June
—considering,

—considering, also, that the constant southerly drift of the ice must have left so much clear water to the northward, it is highly probable, we cannot help thinking, that such a ship as the *Hecla*, starting from the northernmost part of Spitzbergen the beginning of August, might make her way to the Pole, and return in time to make good her passage to England the same season. The six hundred miles thither, and as many back, at twenty-six miles in twenty-four hours, would be accomplished by the 15th of September, which is a full month before the navigable season is over in this part of the Arctic Sea. Even supposing her to be caught and frozen in, with an adequate supply of fuel and provision, little or no danger need be apprehended. Besides, we wish to see our brave fellows in their proper station—on board a ship; not wasting their strength in the drudgery of dragging heavy loads in boats or sledges, up to the knees in half-melted snow and water,—a species of labour more fitted for convicts than seamen.

These northern voyages have, as we all know, been pronounced absolutely useless—by none, however, we are willing to believe, except a certain class of persons who hold all knowledge to be worthless of which they themselves cannot see the immediate benefit; who measure the utility of what is new by the pounds, shillings, and pence it is likely to bring—such persons as the ‘Goldfiners of London,’ who were more taken with the stones brought home by Martin Frobisher from his Arctic voyage, ‘glistening with a bright marquesset of gold,’ than by the geographical discoveries he had made, and who had influence enough to prevail on Queen Elizabeth that the captain in his second voyage should be ‘specially directed, by commission, for the searching more of this gold ore, than for the searching any further discovery of the passage.’ Persons of this description are ever at their post, to pronounce steam-boats, steam-carriages, gas-lights—in short, all new and important discoveries—useless and absurd.

The president and council of the Royal Society, however, thought otherwise. They stated, when the project was referred to them, ‘that this enterprise, if successful, could not fail to afford many valuable scientific results, and settle important matters of philosophical inquiry;’ and a fellow of this society, one of the ablest and most scientific men of modern times, declared that he considered the attempt to reach the Pole ‘the grandest object of discovery that remained to be made, and that he hoped the Admiralty, which had proved itself so friendly to the acquisition of knowledge, would not be adverse to Captain Parry’s proposal.’ Doctor Brewster, to whom the scientific world is much indebted

for

for many valuable researches, anticipated high advantage from 'the opportunity it would afford of determining the atmospherical and magnetical condition of the parallel of Spitzbergen, which possesses a peculiar interest from its being nearly equidistant from the two magnetic poles, and from the two cold meridians of the globe.' Will this position near the equidistant magnetic meridian explain the mild temperature that prevails along the whole coast of Norway and Spitzbergen,—so mild that in 80° north a party from Hammerfest went out daily throughout the winter in chase of bears, walruses, foxes, &c., and had copious rain at Christmas? That this meridian line is nearly equidistant from the two poles, is inferred from the circumstance of the variation of the magnetic needle being small, and subject to very little change from the Nore to Hakluyt's Headland, being about 25° or 26° , but which, on going eastward to Hammerfest, which is in $23\frac{1}{2}^{\circ}$ East, it was found to have decreased to 10° or 11° .

On the first voyage up Lancaster Sound, Captain Parry determined pretty nearly the position of the *Western* magnetic pole. He found that, in latitude 73° , longitude about 89° W., the directive power of the needle became almost suspended; that the dip was $88^{\circ} 26'$, and the variation $118^{\circ} 23'$ West; but in latitude 75° , and longitude $103^{\circ} 44'$, the dip being exactly the same, the variation had changed from 118° West to $128^{\circ} 58'$ East, a proof that he had crossed immediately to the northward of the magnetic pole; which he calculates to be in about 100° W. of Greenwich. It is not a little remarkable that Derham, in his *Physico-Theology*, should have deduced, from a theory of his own, the revolution of the magnetic pole in a circle of 13° radius; and that Mr. Lovett, in 1766, from the best observations of the variation of the compass at two different places, should have deduced its distance at about 14° from the pole of the earth, or in latitude 76° , being that nearly in which Captain Parry found it.

The scientific observations that have been made by Parry and Foster, Sabine and Fisher, and more particularly those highly interesting magnetical observations by Foster, which occupy half a volume of the *Philosophical Transactions* for 1826, and for which he obtained the Copley medal, contain such a vast body of information on every branch of meteorological science as is not to be found in any other work extant; and such is their known accuracy, that they are considered by all the learned societies in every part of Europe as so many matters of fact, to which they can with safety refer, in all their calculations and philosophical researches. The collections of natural history that have been brought home from these regions, and deposited in the museums
of

of London and Edinburgh, the details and descriptions of which are given in the accounts of the several voyages that have been published, have greatly extended our physical knowledge of the arctic regions, on the side of America; from the largest of the mammalia class, through all the orders of this and the other classes, down to the invertebrate animals of the sea and land. The scanty and dwarfish *flora* has been ransacked for such treasures as the soil will afford in these 'thrilling regions of thick-ribbed ice*.' Nor has the geological structure of the continent and islands been neglected, as will appear by the geological notices in the various appendices to Captain Parry's journals, and particularly in the clear and comprehensive remarks by Professor Jameson annexed to the narrative of the third voyage. The moral condition of a diminutive race of men, hitherto but little known, has been observed and described, with many interesting details. And lastly, if we compare the map of these countries but ten years ago with that which now exists, we shall see at one glance how much geography has benefited from these arctic voyages. We now, for the first time, have obtained undeniable proof that the great continent of America is insulated, and that the idea of its being joined to that of Asia by a slip across Behring's Strait, like the bridge of a pair of spectacles, as some Germans, and our countryman, Admiral Burney, would have it, is destitute of all foundation. We now know, that, from Behring's Strait to the Strait of the Fury and Hecla, this northern coast of America presents an undulating line, whose extreme latitudes extend from about 67 to 71°; and that it is indented by many good harbours and large rivers: whereas, before Franklin's expeditions, the maps had no line of coast, but only two points, one of which was erroneously laid down, and the other doubtful; the rivers and lakes were drawn *ad libitum*, which are now placed, the former in their proper directions, and the latter in their true shapes and dimensions.

We think, too, we may conclude with Parry and Franklin, that though the object for which these voyages were undertaken has not been fully accomplished, yet a north-west passage is feasible, and that it will one day be made, if not by us, by our rival Brother Jonathan, who, we are inclined to think, will not find it very difficult, with a wind and current in his favour, to run, in

* For some account of the scientific observations and discoveries, we must refer our readers to Nos. XLIX, LIX, and LXVIII of the Quarterly Review; and for a detailed account of them to the First, Second and Third Voyages of Captain Parry; where the scientific inquirer cannot fail to be highly gratified with the copious information which is there given on subjects of natural history and philosophy.

one season, from Icy Cape, through Prince Regent's Inlet and Lancaster Sound, into Hudson's Bay.

In conclusion, we think, from all we have heard, that neither the country, nor the naval service, will ever believe they have any cause to regret voyages which, in the eyes of foreigners and posterity, must confer lasting honour on both; which have been the means of training up and accustoming a set of young officers to the most arduous and perilous situations in which a ship can be placed; of teaching them how to take care of, and to preserve the health of a ship's company; of instructing them in the higher branches of nautical science, and the treatment of chronometers, by which the long sought-for problem of finding the longitude at sea may be said to be discovered; and in the use of the various instruments which art, aided by science, has, in modern times, brought to a degree of perfection that, but a few years ago, could not have been contemplated; and, in short, of fitting them for the most gallant enterprises, or the most important commands with which they may one day be intrusted.

ART. XII.—*Reports of the Select Committee on Emigration from the United Kingdom.*

‘WHEN Naaman the Syrian complained to Elisha of his leprosy, he was bid to wash himself in Jordan seven times. He looked for other miraculous courses to be taken by the prophet, and could hardly be persuaded thereto, because Abana and Pharpar, rivers of Damascus, were better. Naaman was a heathen, and had never any experience of God's Jordan; yet he was in the end persuaded. To supply our wants, to satisfy our hunger, to heal our diseases, there is, not a river, but the sea shown us.’ These are the words of an old and intelligent writer, who thought that, in the facilities which our insular position afforded for the extension of our trade and of our fisheries, a remedy might be found for all the necessities of the commonwealth in his time. For the far more pressing necessities of the present time—necessities which have arisen, in a great degree, from an overgrown trade—we are now told that the sea offers, not indeed the speedy and certain cure which this projector promised for a less inveterate disease, but the prospect of immediate hope, sure relief, and ultimately of permanent benefit, by affording an easy outlet for a redundant population. Is our population redundant? and is the relief which is proposed attainable at a cost not disproportionately exceeding the expected advantage? These are questions concerning

concerning which the Committee on Emigration has collected and laid before the public a large body of evidence.*

We need not look beyond the poor-rates for an answer to the first of these questions. Let it not, however, be supposed that we assent in any degree to Mr. Malthus's philosophy, and ascribe this redundancy to some necessary evil in the system of nature. It has arisen wholly from our system of society. It is an evil incident to the present stage of our progress, which might have been well prevented if it had been duly foreseen; and which will be found remediable, if the proper and obvious remedies are judiciously and perseveringly applied. As little would we be supposed to agree with Mr. Malthus in his reprobation of the poor-laws. That gentleman, in his examination before the committee, prescribes an enactment,† declaring that 'those who are born after a certain time should not be allowed to have any parish assistance;' such an enactment,‡ depriving the pauper of a right to claim assistance, under the circumstances of his not being able to find employment, 'he considers absolutely necessary,' and pronounces 'that no essential improvement can take place without the denial of a legal claim.' Far gone, indeed, must those persons be in our modern mania of political economy, who recommend a measure impracticable, if, in other respects, it were wise; and abominable, if it could, by possibility, be carried into practice! The mischief which the poor-laws produce has arisen wholly from their mal-administration or perversion; the system itself is humane, just, necessary, befitting a Christian state, and honourable to the English nation. So it was regarded by Blackstone, when he said, not more emphatically than truly, that charity is interwoven with the very constitution of this country. So by Mr. Spence, when he observed with pride, as an Englishman, that this country is 'the only one in the world where every poor man is born, not only to the inheritance of freedom, but of a contingent patrimony; and can marry, and practise the virtues, and enjoy the happiness resulting from early marriage, without anxiety for the future; knowing, that if employment cannot be had, or sickness assail him and exhaust his little savings, (which no poor-laws would deter a *well-educated* poor from aiming to lay up,) he can by law claim from the rich a portion of their good things, and need, in no event, dread that he or his children should perish with hunger; for, though the laws of nature, and the good of society, require that the many should be poor, and the few rich, the poor have a

* But why all that part of the evidence which is annexed to the Second Report (more than two hundred parliamentary pages) should have been reprinted in the third, we are at a loss to guess.

† Third Report, p. 315.

‡ Third Report, p. 323.

just claim on their more fortunate brethren for such a share of their wealth as will at least ensure their existence when their own efforts fail.'

Thus, too, the poor-laws were regarded by Defoe, when he affirmed, that infirmities merely providential, such as 'sickness of families, loss of limbs or sight, and any other natural or accidental impotence to labour, ever were, will, and ought to be, the charge and care of the respective parishes wherein the unhappy persons who may be thus disabled chance to dwell.' In Defoe's days the country was 'burdened with a crowd of clamouring, unemployed, unprovided-for poor people, who made the nation uneasy, burdened the rich, clogged the parishes, and made themselves worthy of laws and peculiar management how to dispose of and direct them.' He imputed the evil wholly to the want of good husbandry, which, he said, was no English virtue, 'a profuse, extravagant humour,' keeping the labourers always poor, although wages were then so high, that any man who exercised a just frugality in the days of his strength might lay by a comfortable provision for his old age. 'No man in England,' he affirmed, 'of sound limbs and senses could be poor merely for want of work; for there was more labour than hands to perform it, and consequently a want of people, not of employment.'

Few men have been more accurate observers of life and manners and of the mechanism of society than Defoe; yet, in the very treatise wherein these assertions are contained, he touches upon certain circumstances which might have led him to distrust the opinion thus confidently advanced. He lived at a time when the enterprising spirit of trade, which had, in former ages, chiefly taken the direction of foreign adventure, was beginning eagerly to engage in speculations at home; and this he saw had disturbed our inland trade, which, he said, 'perhaps was, or *had been*, in the greatest regularity of any in the world.' Of this settled trade, a settled prosperity in those parts of the country where it was carried on, had been the sure consequence. 'But it is a strange thing,' says a writer in the *British Merchant*, 'to observe how trade runs in channels and eddies, and will sometimes, like the tide, shift its course, change the streams, and remove or fix banks and sands here and there, and on a sudden return to them again.' Such changes perplex the most experienced master; and many a good ship, notwithstanding careful pilotage, has at such times grounded and been cast away. A change of this kind, brought about during one of the great political hurricanes which have shaken Christendom, transferred the manufactory of woollen cloth from the Low Countries to England. Another such Defoe himself witnessed, when the persecuting spirit of the Roman Catholic church,

church, directed by such prelates as Bossuet, and under such a monarch as Louis XIV., introduced into this country as many of what he calls 'true-born English families with foreign names,' as the earlier, and,—if there be shades of criminality in such deep-dyed guilt,—the less flagitious persecution in the Netherlands. Wherever the refugees from that French persecution fled, a blessing followed them. They sacrificed everything for the sake of conscience, and in no instance has righteousness ever more visibly received its temporal reward.

Before the revocation of the edict of Nantes, the balance of trade between France and England was greatly against* this country, even without taking the wines of France (then in as general use as those of Portugal were afterwards) into the account. The French had as much the advantage over us in the lower rate of living, and of wages, at that time, as they have now. In the single article of linen, the imports from France were nearly equal in value to that of all our exports thither of all kinds; it amounted almost to thrice that of all the woollen goods which the French received from us in return. And their paper, though charged with a duty exceeding a hundred per cent., undersold that of our own making. The refugees, who, with their own knowledge of business and habits of frugal industry, brought with them that ingenuity and hopefulness, and fertility of resources, which never fail a Frenchman in distress, (such is the peculiar and happy characteristic of the nation,) began immediately, instead of engaging in manufactures which they did not understand, to set up such as they were masters of, which had not before been known in this country, and to introduce improvements in others. The war against Louis XIV., which, with little intermission, lasted about as long as that against the French under their democratic and military tyrannies, procured for them all the protection they could desire; and it is one among the many observable parallels which these wars present, (the most arduous in which Great Britain has ever been engaged, the most necessary, and the most glorious,) that the former gave as great an impulse to the manufactures of these kingdoms as the latter did to its agriculture.

But, as even healthful changes in the human system are not brought about in their due season without occasioning some disorder during their progress, the impulse which was thus given disturbed the regularity of our inland trade. 'The manufactures of England,' says Defoe, in describing this regularity, 'are happily settled in different corners of the kingdom, from whence they are mutually conveyed by a circulation of trade to London by whole-

* In Charles the Second's reign as much as 800,000*l.* per annum; in those days a very considerable sum.

sale, like the blood to the heart, and from thence dispersed, in lesser quantities, to the other parts of the kingdom by retail.' A breach of this circulation, he said, must necessarily distemper the body; and he saw that the disturbance was made, and the ill effect appearing. For most enterprise, as well as capital, being found in London, when both were brought into full employ by the impulse which a long war had given, manufactures were established there in rivalry of those which were flourishing in the provincial towns. The consequence was, that as their trade declined in the country, those persons engaged therein, who were not ruined by the change of affairs, and could bear the expense of removal, removed their property to London, engaged hands there, and left those whom they had employed at their old establishments, to shift for work. Norwich, Sudbury, and Canterbury are specified as suffering by this shifting of the channels. In the latter city, of two hundred broad looms, not fifty were in employment; and, in consequence, business of every kind was declining, the people removing, and houses standing empty. 'These,' said he, 'are the effect of transposing manufactures, and interrupting the circulation of trade.'

This might have led Defoe to perceive that employment was not, as he had affirmed, always to be obtained by men who were able and willing to work; and that the most industrious labourers might be reduced to want, not by any misconduct of their own, not by any affliction befalling them in the course of nature, not by any natural visitations of pestilence, or famine,—not by the ravages of war, but by those changes in trade, which, though improvements in themselves, and at length greatly beneficial upon the great scale, are injurious and even ruinous to many in their immediate effects. Indeed, he saw that the introduction of machinery into our manufactures must bring with it this consequence. The stocking-frame had been brought into use within his memory, and with it the effect of almost wholly transferring the manufacture of stockings from Norwich to London.

'Now,' says he, 'as the knitting-frame performs that in a day which would otherwise employ a poor woman eight or ten days, by consequence a few frames performed the work of many thousand poor people; and the consumption being not increased, the effect immediately appeared—so many stockings as were made in London, so many the fewer were demanded from Norwich, till, in a few years, the manufacture there wholly sunk: the masters then turned their hands to other business; and whereas the hose trade from Norfolk then returned at least five thousand pounds per week, and, as some say, twice that sum, 'tis not now worth naning. All methods to bring our trade to be managed by fewer hands than it was before, are in themselves pernicious to England in general, as it lessens the employment of the

poor, unhinges their hands from the labour, and tends to bring our hands to be superior to our employ, which as yet they are not.'

The evil which was thus apprehended more than an hundred years ago, has in our days come upon us in a greater degree than the most far-sighted sagacity could at that time have anticipated; and there would be little utility here in inquiring whether it might have been averted or mitigated by any prospective enactments. The introduction of machinery, for the purpose of performing more expeditiously, and in greater perfection, by few hands, the work which used to be done by many, is a necessary consequence of advancing science, and of that increased activity and spirit of enterprise which accompany the progress of civilization. King Canute, if he had really been serious in the act which was intended as an histrionic reproof to his flatterers, might as well have attempted to stop the flowing tide, by forbidding it to advance, as a legislature to check this tide in the affairs of a commercial nation. The very persons who were themselves suffering most severely from the depreciation of their labour, which had been thus brought about, declared, on their examination before the committee, that they were clearly convinced of this; and this distinct perception and fair acknowledgment, under such circumstances, is the best proof that has yet reached us of 'the march of intellect.' The representatives of the Glasgow weavers, at a time when they could obtain only four and sixpence or five shillings for the same work, which, only twenty years ago, would have produced them twenty, were asked if they attributed the insufficiency of this remuneration for their labour to the introduction of machinery, and if they considered that, on that account, the introduction was objectionable? There could be no doubt, in this case, of the immediate relation between the cause and the effect; but they replied in these remarkable words:—

'The weavers, in general, of Glasgow and its vicinity, do not consider that machinery can, or ought to be stopped or put down; they know perfectly well that machinery must go on, that it will go on, and that it is impossible to stop it. They are aware that every implement of agriculture and manufacture is a portion of machinery; and, indeed, everything that goes beyond the teeth and nails (if I may use the expression) is a machine. I am authorized by the majority of our society to say, that I speak their minds, as well as my own, in stating this.'*

The whole evidence, which these persons gave before the committee, is characterized by the same good sense † and good feeling, which

* Second Report, p. 12.

† One gentleman, indeed, who appeared on the part of certain emigration societies in Scotland, had 'no hesitation in saying, that the poor people themselves have *sufficient mind*

which are apparent in this declaration. Nor, when they alluded to those moral causes, which had rendered that power, whereof they acknowledged the utility and the necessity, thus injurious, and even ruinous to themselves, did they evince the slightest impatience or resentment; but spoke * with the same calmness of that over-production which had glutted all their markets, and of that competition among the master manufacturers which had been the immediate cause of the evil; for the merchants selling lower, who could bring their goods lower to market, the manufacturers, 'when they wished to have a large profit, reduced the wages, and so brought them down to the present price.'

It is gratifying to observe, that the English weavers also, upon whom the late pressure bore with equal weight, manifested the same good feeling, and the same spirit of patient endurance under privations of the severest kind. The Bishop of Chester, whose exertions for relieving the manufacturing districts cannot be more justly represented, nor more highly praised than by saying, that they were such as might be expected from the energy of his character, his sense of duty, and his goodness of heart, went through those parts of his diocese, in which the greatest distress prevailed, and the quietness, and good order, and resigned contentedness which he found among the people, under circumstances so trying, excited, he says,† his admiration.

'The moral condition of the people,' said he, 'I confess, appeared to me to be considerably better than I had always been told that it was. The hand-loom weavers are a very orderly, and, generally speaking, a well-disposed body of men: they manifest a great readiness to listen to good advice; and, from personal inquiries amongst the poor, I am led to hope, that a considerable moral improvement has taken place in many of them, in consequence of their sufferings.'

This disposition, on the part of this large body of people, is the more meritorious, because they clearly perceived what were the causes of the distress which they were then enduring, and were, at the same time, fully aware, that although intervals of comparative prosperity might be expected, the same causes would continue to act, and the same consequences must, of necessity, be again brought on. They knew that, however low the price of labour might be, and however deplorable, on that account, the condition of the labouring artisans, machinery would not be with-

mind not to ascribe the evils they have endured to machinery, but to taxation weighing upon labour, and restrictions preventing markets.' This gentleman has 'no hesitation' on many other points, upon which it might be better if he would hesitate; but he belongs to a profession (that of the newspaper press) in which hesitation seems to be seldom allowed. He thinks that if taxation were abated, and restrictions abolished, there would not be a redundant population in any part of Great Britain, 'not even with all the Irish that come over!'

* Second Report, pp. 10-13.

† Ibid. p. 203, 209.

holden for any such considerations. 'Some persons,' says Major Thomas Moody,* 'may withhold it, but others said, they never deferred, for one moment, any improvement that they could make in their machinery: the desire of competing with others induced them instantly to use it.' The manufacturers of machinery deliver an opinion, that it 'will still be increased, to the substitution of human labour.' That system, like the car of Juggernaut, will move on, and be thrust forward, whatever may be crushed in its course! And as to any benefit which the manufacturing workmen might expect from a reduction in the price of food, (in other words, from the ruin of the landed interest,) the Glasgow deputation plainly stated, that if the coarse food, whereon they then subsisted, (—the coarsest that is used by human beings, and of which the wages that they at that time received were not sufficient to procure a sufficient quantity,) should become cheaper, they should be compelled to take a lower rate of wages in proportion to the reduction: and, therefore, it would be no relief to them.† There are certain writers, who will not believe that cannibalism is, at this time, or ever has been practised, by any savages, however atrocious; and yet they live in a country where man thus preys upon man! But this opinion was calmly stated before the committee, and with a just conviction, that the inhumanity belonged to the system, not to the individuals who are engaged in it.

These evils have no tendency to being about their own case. Formerly, when commercial speculation and competition were kept within the bounds of prudence and probity, our merchants contented themselves with the certain profits of a settled trade, and took care never to quit the foreign markets. A market is now no sooner opened in any part of the world, than adventurers pour in their goods in such profusion, that it is instantly overstocked. They run a race of ruin with each other, such as we sometimes see stage-coach proprietors engage in—to the benefit of a traveller's pocket, and the risk of his limbs and life. For a season, the manufacturers are in total employ, the sum of exports mounts up, there is a great increase in the customs for the quarter, trade is alive everywhere, and we congratulate ourselves upon the state of the country. Then comes the crash: returns are stopped for a while: bulls are disinterested: the goods are unsold for—sold at a loss, damaged, wasted, spoiled, or, perhaps,

* Second Report, B.

† Ibid. p. 15.

† Yet, even then, more goods were produced than there was vent for: most commodities not manufactured, &c. was complained, were brought in so low in price, that poor workmen could not get their living. More such were the year of the potatoes whereon they lived: not poor themselves, with their families, and grown to be a far greater evil to the nation than all that the king's customs amounted to.—*Ibid.* Mem. for. edit. vol. 2nd.

re-shipped for England, like property snatched from the ravages of fire or flood : week after week the list of bankrupts lengthens, and lofty fabrics of credit fall like a child's house of cards. After a while, what with waste, loss, and rapid wear, (the goods, like the razors in the story, being made for sale and not for service,) the foreign warehouses begin to be cleared ; there is an opening ; trade revives ; the pulse of our prosperity quickens ; a new race of merchant-adventurers (in the modern acceptation of that word) comes forward to speculate, or, rather, to gamble with the capital of others ; the same desperate game is again played with the same ruinous, but certain consequences, and thus the burning and the shivering fits alternate. Meantime, the population, which has been produced by the manufacturing system, has increased, is increasing, and will continue to increase. The check of prudence, which operates so powerfully (sometimes even with more than its due weight) in the middle class, has, upon this, no effect ; and, as for misery, miserable experience has manifestly shown, that here, as well as in Ireland, it acts as an incentive. One of the witnesses* before the committee, who said, that he never could have imagined the possibility of such distress as he had beheld, unless he had seen it, added, that amidst the distress population went on increasing,

‘ inasmuch as the unfortunate beings become reckless, and desperate, and marry without thought.’ . . . ‘ In proportion,’ says this witness,† ‘ as people become more wretched, the population increases. I mean to say, that where men are reckless and desperate in their character, they do not look for improvement in their social condition, and they take the only enjoyment they have in their power—they marry. Hence, in the worst parts of Ireland, and in Lancashire, population more rapidly increases than in places where the people are better off.’

The excellent Bishop Berkeley among those Queries, many of which are as pertinent to existing circumstances as they were when first propounded, asks,‡ ‘ whether one may not be allowed to conceive and suppose a society or nation of human creatures, clad in woollen cloths and stuffs ; eating good bread, beef, and mutton, poultry and fish, in great plenty ; drinking ale, mead, and cyder ; inhabiting decent houses, built of brick and marble ; taking their pleasure in fair parks and gardens ; depending on no foreign imports for food and raiment ?’ He had at that time, and could have, no anticipation of a state of things in which a portion of the community, fearfully large, would depend for subsistence, not upon the imports of a nation but upon its exports ; and depend thus upon the foreign market so wholly and miserably as to afford an answer, equally unforeseen, to another of his queries,§ ‘ Whether

* Second Report, p. 54. † Ibid, p. 61. ‡ Query 223. § Query 325.
there

there may not be found a people who so contrive as to be impoverished by their trade?' In the case which Berkeley had in view, stirring industry was all that was required for rendering a nation independent, and securing the comfortable subsistence of the people. More difficult is it to find the remedy for a state in which, with the ability and the will to work, the labourer cannot obtain employment. Let us not be deceived by seasons of prosperity, which are only the intervals of the disease. Machinery must enter still further into competition with human labour; this is certain. It will not be withheld by moral considerations, nor by any foresight of the consequences, on the part of those whose sole object is their own immediate profit. It will not—it is not to be checked by legislative enactments, were there even a thought of so checking it. The desire of gain, '*acens mortalia corda*,' causes a continual and intense application of inventive ingenuity in this direction, and a power which might have satisfied the ambition of Archimedes is now at its command. But in proportion as improvements in machinery are effected, the competition becomes greater; over-production is the sure result; the increase of population goes on; increase of pauperism, and all its attendant evils, follow;—and who can tell where the misery, and the danger, and the ruin, are to end?

We must now look to the agricultural part of the community. He who expects to find the husbandmen flourishing while the manufacturers are out of employ; or the tradesman, on the other hand, in prosperity while the farmer is in distress, 'let him,' as Fuller says, 'try whether one side of his face can smile while the other is pinched.'

Mr. Gourlay, whose name, unfortunately for himself, has been often before the public, but to whom the praise of good intentions is due, however erroneous he may be in some of his views, and however eccentric in some of his actions, asserts in one of his works, that the English poor were civilized and independent an hundred years ago, and that no people ever lived in greater comfort than they did in those days. In the warmth of his benevolence and of his fancy, he seems to have persuaded himself that our labourers had once actually been in a state in which he so earnestly desired that they should at this time be. Yet nothing is more certain than that no evidence, no indication, of any such former state, is to be found in our histories or in our laws; one might as well look there for the constitution of the parliamentary reformers. 'Our poor,' says Sir Josiah Child, 'have *always* been in a most sad and wretched condition.' In one point, however, and that a very important one, the condition of the agricultural labourer has been deteriorated; his wages have not, at any time, been advanced in
any

any equitable relation to the increased price of every thing which he has to purchase or to pay for; and in aggravation of this evil (an evil of injustice) the introduction of machinery into our manufactories has silenced the spinning-wheel, which used to be in summer the music of his threshold, and in winter of his hearth. A day labourer, in the middle of the last century, commonly received six shillings a week; and his wife, by easy industry, could earn five at this domestic and then certain employment—an employment which was cheerful to the contented spirit and soothing to the sad. There has been, indeed, an enormous disproportion between the wages of the manufacturing and agricultural classes. The manufacturer is, properly, entitled to more, because he is more constantly employed in an unhealthy and irksome employment, and requires in consequence, as the Bishop of Chester has justly observed, bodily comforts of a different description from those which are wanted by the husbandman. But the disproportion is greater than it ought to be; not that the manufacturer, at his highest wages, is paid too much, but that the husbandman is paid too little. The wages of labour ought to be such as would enable an industrious and prudent man, marrying at the age of five-and-twenty, to bring up a family, or to lay by a decent and comfortable provision for his old age if he remain single. When they fall short of this they are iniquitously low; and the circumstances which have rendered the agricultural wages miserably short of it are now to be considered.

This injustice is traceable in its origin to the laws, which, in their relation to the inferior classes of society, were, throughout all European governments, made by the strong against the weak, the natural consequence of government founded upon conquest. It is the honourable peculiarity of our laws, that they inclined always to the merciful side in doubtful cases, concerning personal freedom; but they bore with great injustice upon the free labourers, when that class became numerous enough to be noticed in the statutes. The first notice which was taken of wages was for the purpose of reducing them. A pestilence having thinned * the land, about the middle of Edward III.'s reign, and the mortality having been greatest among the labouring people, the survivors found that their services were greatly in demand, and demanded in consequence what were called excessive wages. The statute of labourers was therefore passed, whereby every man or woman, of whatever condition, free or bond, being under threescore years of age, of able body, and having no visible means of honest subsistence, was bound to serve the person who might choose to hire

* *Quia magna pars populi, et maxime operariorum et servientium jam in ista pestilentia est defuncta.*

him, or her, and restrained from taking any higher wages than had been customarily paid before the pestilence. The penalty for refusing to serve on these terms was strict durance in the nearest jail, till the recusant should consent to the engagement, and find security for performing it. A penalty of double the stipulated wages was recoverable by any informer, from any person who should engage to give more than the intended maximum; and if the offender were lord of the town or manor, it was then a treble penalty. The statute extended to artificers of every description; and it was also made punishable to exact more than a reasonable price for any kind of food. For the purpose, perhaps, of exciting a more general interest in the enforcement of these penalties, and transferring to the assessors in the discharge of their duty, an office which is always and justly obnoxious, when performed by an informer, the penalties were afterwards applied in aid of the tenths and fifteenths assessed upon the parish.

This statute having been disregarded, a *great damage des grant*, another act was passed by the said great men, for enforcing it, and for restraining the malice of servants, who were not satisfied unless the livery and wages were double or treble of what they had been four years before. The new act allowed servants to hire by the year, or other customary terms, but not by the day; a restriction which may probably have been intended against roving labourers. The maximum of wages was left, as before, to vary in different places; but where it had been the custom to give wheat, wheat might still be given, or ten-pence per bushel in its stead, till it should be otherwise ordained, at the option of the master. There are, nevertheless, certain works of husbandry, for which a daily price was fixed: five-pence for mowing, either by the acre or the day; one penny for hay-making; two-pence for reaping in the first week of August, three-pence in the after weeks. Were the seasons then more regular than they have since become, or were our lawgivers as little informed concerning some points on which they legislate, as they have occasionally been found in later times? Threshing, two-pence farthing the quarter of wheat or rye; a penny farthing for the same quantity of beans, peas, barley, and oats. In all these cases this was the maximum, and less was to be taken in those places where less had been the usual rate; and neither meat, drink, nor other courtesy was to be demanded, given, or taken. Twice in the year servants to be sworn before lords, seneschals, bailiffs, and constables of every town to observe this ordinance, and not to leave their winter places of abode, for the purpose of seeking work in the summer, if employment were to be had at the fixed rates at home. There was, however, a saving for certain counties

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on this point. Stocks were to be set up in every township for the punishment of those who should refuse to take the oath, or who should break the ordinances. They were also to be punished by fine and ransom to the king; but the pecuniary penalty was, after a few years, abolished, imprisonment being substituted for it; and at the same time, the wages of master-carpenters and masons were raised from three-pence a day to four-pence, and of inferior workmen in proportion. Men absconding from service were to be outlawed, and burnt in the forehead, when taken, with the letter F, in token of falsity, if the offended party chose to sue for such punishment: but this pain of burning was respited till the ensuing Michaelmas; and then was not to be executed except by advice of the justices. This clause, therefore, appears to have been deemed unduly severe, even by the very persons who enacted it, and to have been put forth merely *in terrorem*; if it were so, the danger of trusting hasty tempers and cruel dispositions with power was overlooked. It was perceived in the ensuing reign, that because weather is precarious, and plenty and dearth depend upon the seasons, 'a man cannot put the price of corn and other victuals in certain,' for which all-sufficient reason, the legislature then determined that the rate of wages should be assessed from time to time, in relation to the current price of provisions, by the justices in sessions. After this, one is surprised at finding a maximum, re-enacted fifty years later, and again after an interval of another half century, though the alleged necessity for repealing it might have shown the impracticability of such interference, and the advance in the rates, as they were then fixed, though small, might also have shown its injustice. But in the very next year these statutes were, 'for many reasonable considerations and causes,' repealed by Henry VII.: this and other of his statutes justifying the eulogium pronounced upon him by Erasmus, that he was *regum longe cordatissimus*, and the opinion of Lord Bacon, that he was our best lawgiver after Edward I. These 'reasonable considerations and causes' were overlooked or disregarded* in the next reign, and the government again took upon itself to appoint the rates of wages. This continued till the fifth year of Elizabeth, when it was finally repealed, and its injustice fully acknowledged in these words:

'Although there remain and stand in force presently a great number of acts and statutes, concerning the retaining, departing,

* A forgetfulness of former statutes is sometimes observable in our laws. The act which exempted from penalty the payer of wages above the legal price, appears not only to have been disregarded in practice, but even to have been unknown to those who past the statute 4 Henry VIII., by which the law imposing the fine is spoken of as still in force, and is repealed.

wages, and orders of apprentices, servants, and labourers, as well in husbandry as in divers other arts, mysteries, and occupations, yet, partly for the imperfections and contrariety that is found, and do appear in sundry of the said laws, and for the variety and number of them, and, chiefly, for that the wages and allowance limited and rated in many of the said statutes, are in divers places too small, and not answerable to this time, respecting the advancement of prices of all things belonging to the said servants and labourers, the said laws cannot conveniently, without the great grief and burden of the poor labourer and hired man, be put in good and due execution.'

Wages were, therefore, from thenceforward to be 'rated and proportioned' by the justices, 'according to the plenty, scarcity, necessity, and respect of the times.'

There is throughout our early statutes, amid all their contradictions, one uniform spirit of injustice toward the labouring classes. Their constant tendency is to keep the poor labourer in the *caste* wherein he was born. The artificer might be *pressed* for harvest-work. Unmarried women, under the age of forty, were compellable to serve, if they were thought 'meet for service' by the magistrates, and, in case of refusal, they might be committed to ward. No child might be apprenticed to any craft, unless the parents were possessed of a certain yearly rent. The truth is, that in the scheme of feudal government, a class of free labourers was not contemplated; and when it began to appear, it was as little favoured as it is now in the West Indies. There was no place provided for it in that system of society, which originally comprehended only the conquering and the conquered people, lords and vassals, in other words, masters and slaves; the latter under mitigated names, but in a state of actual servility. From time to time, wars, (more destructive in their consequences than in the immediate waste of life,) scarcities, and pestilence reduced their population here in England, and the mortality at those times always fell heaviest upon the poor. The services of the free labourer were thus rendered more necessary; and wages, had they been allowed to find their course, would have been as high in proportion as they are now in thinly peopled but thriving colonies, wherever the demand for labour is great, and the supply insufficient. This immediate evil was prevented by laws which had more regard to convenience than to justice, and the injustice of the remedy produced another evil. When service was compulsory, and wages below the equitable mark, men were compelled, not less by discontent and the sense of injury, than by dissolute habits and bad dispositions, to turn upon that society, by the laws and usages of which they felt themselves aggrieved. They preferred the freedom of a vagrant life to the state of semi-slavery in which they

they were retained ; and the ' valiant beggars ' of the Tudor age were, in fact, a sort of Maroons, whom the abuse of law created, and whom it then required the utmost severity of law to suppress.

The fixed rate of wages was abolished by Henry VIII. in favour of labourers and artificers, in London, a year only after it was appointed by parliament, for the last time. It was obvious, indeed, that labour deserved more pay in proportion as it required more ingenuity. Artificers were also, from the nature of their employments and their residence in towns, a more intelligent class of men than those who were employed in husbandry (more *knowing* is, perhaps, the more appropriate word) ; and they could always, in some degree, combine for the purpose of keeping their wages up to a certain standard. They, therefore, were well paid ; and if they had made the proper use of their earnings, the number of paupers would not have been increased from that class. But, unhappily, some of the circumstances which sharpened their intellect, depraved their moral habits. In times, when wages were good, and there was employment enough for all, the complaint was that the number of paupers was kept up, not by those who could get no work, but by those who would do none ; that good husbandry was not an English virtue ; that our labourers, from a profuse, extravagant humour, ' ate and drank three times as much, in value, as any sort of foreigners, of the same dimensions, in the world ; ' that there was a general taint of slothfulness among them ; that their wages, as soon as received, were carried to the alehouse, and there the men remained idling and drinking till all was spent ; that ' the distemper was general, epidemic, deep-rooted in the nature and genius of the nation ; and this was " no satire on the people ; but a sad truth," worthy of the debate and application of the national physicians in parliament assembled.' This dissoluteness could not prevail to the same extent among the agricultural labourers, because they were not exposed to the same temptations as the town-artificers ; nor had they the same opportunities for idle and vicious indulgence, the number of alehouses having increased in much greater proportion than the population, from the time when statesmen began to consider the yearly amount of the excise as of more importance than the morals of the people. But, on the other hand, the peasantry had, in the gentry, and even in the magistrates, the worst examples that could be set. It was a recommendation for a servant, if he could bear a quantity of strong drink—part of his good character—in times when it was accounted a point of hospitality, that the guests in the kitchen should be made as drunk as their masters in the dining-room.

Sir

Sir William Petty states the wages of the day-labourer, in his time, at eightpence per day without, or fourpence with, his victuals; those of the journeyman, at two shillings or two shilling and sixpence: common workmen are, of course, intended; any superior degree of skill, in any trade, obtaining always prices in proportion. Estimating the husbandman's earnings at this rate, he allows an expenditure of seven pounds for his subsistence, clothing, and other necessities, leaving thus (to use his own significant term) a superlucration of three pounds eight shillings at the year's end. Supposing his employment to be constant, a man might thus, with hard industry, and undeviating prudence, have found himself, at the end of thirty years, with a provision of something more than one hundred pounds for his declining age. Considering that there is no allowance in this estimate for times, and seasons, and casual infirmities, this may be deemed hard measure; yet, was it better than has been dealt to the agricultural labourer in later times. There was then no want of employment; and as the condition of the peasantry was better than it is at present, there was more prudence. Marriages of reckless improvidence, which are now general among them, were then most unfrequent; the wife could earn at her wheel as much as, or more than, the husband by his labour; daughters were early able to knit and to spin; a value was set upon character, and they had a pride in keeping themselves independent of parish aid. There could be no miserable poverty where there were no idle or profligate habits, except under those visitations of Providence, against which no prudence can provide. How far the growth of pauperism has been commensurate with the increase of manufactures, is a question which seems not to have been investigated; but there is reason to believe, that when the amount of the poor-rates was first noticed with alarm, a large proportion of those, upon whom they were expended, were of the manufacturing class.*

The gradual increase of the poor-rates at about one-thirtieth part annually, from the middle of the last century, (when we have

* Defoe says, there were above a thousand families, within his knowledge, going in rags, and the children wanting bread, when the fathers could earn from fifteen to twenty-five shillings per week, and might have work enough, but were too idle to earn anything more than bare subsistence and spending-money for themselves. 'This,' he says, 'is the ruin of our poor: the wife mourns; the children starve; the husband has work before him, but lies at the alehouse, or otherwise idles away his time.' At times he used to pay six or seven men together, on a Saturday night, the least ten shillings, and some thirty shillings, for work; and he had seen them go with it to the alehouse, lie there till every penny was spent, and not give a farthing of it to their families, though all of them had wives and children. 'From hence,' said he, 'come poverty, parish charges, and beggary. If ever one of these wretches falleth sick, all they would ask was—a pass to their parish, and their wife and children to the door a begging.'

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the first returns,) till the close of the last war, is not more than may be accounted for by the increase of population—the system remaining the same, and no improvement having taken place in the morals of the lower classes. Though the peasantry were worse paid than the artificers, their occupation was not liable to be affected by the chances of war cutting them off from a foreign market, or the caprices of fashion putting an end to the demand for their labour; and they continued with little apparent change in their condition, either for the better or the worse, till it was sensibly deteriorated towards the latter end of the century, by circumstances from which no such effect had been foreseen, nor ought, indeed, to have arisen. A little before that time, persons of a higher grade than the old yeomanry began to turn their attention to agricultural pursuits. Country-gentlemen became farmers for the sake of improving their estates, and providing themselves with employment, when the boisterous and brutal courses, in which so great a part of life had formerly been misspent, had fallen into disuse and disrepute. Others, who had their fortunes to seek, took to agriculture as a profession, which, when liberally pursued, deserved to be deemed liberal; and to which men of education might betake themselves without degradation, and to the manifest advancement of the public weal. The discoveries in chemistry, then opening a new world to the mind of man, and arming him with new powers, could not, they thought, but be applicable to this object of immediate and general utility. It was a pursuit, therefore, worthy to excite the interest of a philosophic mind; it allowed leisure for other intellectual employment; and it held out a fair prospect of present independence, and of such eventual profit as might content a wise man's moderate desires. If it were known how many men, and what men, were induced by these considerations to choose this way of life, it would appear honourable to the character of the British nation, however ill it succeeded with the individuals themselves. There was also a third and very different sort of persons, who engaged in farming upon a great scale, in the spirit of trade.

Such improvements, as might have been expected from the application of active intellects and great capital to this object, were soon manifest. In forming their estimate of the good and evil, which arose from the extinction of small farms, and of that class by whom they were occupied, men will differ according to the point of view in which they regard the subject; statistically, there was a great gain—morally, a great loss. But it was not the small farmer only who suffered. The old relation between the farmer and the labourer was altered. The persons, who now became agriculturists

turists * ' did not like the trouble of having husbandry servants in the house ; and, for this reason, the old practice was very generally disused :—but it was a good practice ; and an evil of the same kind as that which is observable where it is the custom for tradesmen to take out-of-door apprentices, has arisen from its disuse. It is said, that the men themselves † ' like the independence ' of the present practice, and that rather than live in the house, as before, they are satisfied with poorer fare, and fewer comforts. Now, both effects are bad. It is no advantage for any one to possess that sort of independence which consists in not being subject to the rules of a decent family. And how great a national evil it is, when labourers accustom themselves to dispense with the comforts belonging to their stations, and the decencies which can hardly exist apart from them, may, at this time, be seen dreadfully exemplified in Ireland. The in-door servant was under just that degree of restraint, which was salutary for him ; he was less likely to marry prematurely, because it would worsen his condition ; and he was more likely to save his wages, that he might make some provision for marrying at a proper time. Certain it is that the disuse of in-door husbandry servants has greatly increased the number of reckless marriages.

The farmers are censurable for having dealt hardly with the labourers in the time of their prosperity. They confessed at that time ‡ that the wages of labour were inadequate ; but they were afraid to raise them, because, if peace should come, everything would fall in price ; and therefore they thought it a point of foresight to eke out insufficient pay by giving parochial relief—thus paying in poor-rates what ought to have been paid in wages. This was seeing a little way before them, but not far. They did not perceive when they argued and acted thus (for upon this system they acted) what must be the consequence of making the poor look, as for a customary resource at all times, to that fund which they had been accustomed (like their fathers and forefathers) to look to only for relief in old age, or under visitations of infirmity and sickness. They did not consider that wretchedness produces recklessness, and that the more the poor were degraded, the faster they would multiply. Peace came, and with it the evil which they had foreseen, in its whole magnitude ; but of which no foresight was evinced by the government. Rents, which had been strained to the utmost point of exaction, were then of necessity lowered. Produce of all kinds was so reduced in price, by free importation from the opposite coast, that an abundant harvest (a blessing for

* Agricultural Report, p. 39.

† Ibid.

‡ A. D. 1817. Sir Egerton Brydges's *Letters on the Poor Laws*, p. 12.

which

which there is a prayer of thanksgiving appointed by our ancestors) was regarded as a public calamity, and enumerated among the causes of general distress! Lands were thrown out of cultivation, and hands out of employ: the manufacturers found the home markets at a stand, because the price of grain did not remunerate the cost of cultivation; and we were made to feel, that for a nation in a most complicated and highly-civilised state, cheap bread may be the dearest of all things. The home trade has always flourished when agricultural produce has been at a fair and liberal price. This is no new discovery; it is a truth of old experience.

‘I have known tradesmen of middling class,’ says Mr. Allen, (writing nearly an hundred years ago,) ‘observe that their sale accounts were too nearly acquainted with those sort of truths; nay, in the cheap years, I have heard them say, they wished the price of grain high. The frozen, benumbing temperature of the winter does not damp the growth of vegetables more than the poverty of farmers doth the interest and spirits of the tradesman.’

The low rate of wages, kept low by injustice in the time of agricultural prosperity, and reduced by necessity in the season of general pressure, had the evil effect of driving from rural labour those who would have been the best and trustiest labourers. No father, who could find an opening in any other way of life for an active lad, would direct him into so hopeless a course; no lad, who had any desire of bettering his condition, or even of keeping himself by his own honest industry from pauperism, would follow it. Labourers being paid, not with regard to their skill or ignorance, but in proportion to the number of their families, by the ruinous plan of perverting the poor-rates from their proper application, there was

‘no stimulus,’ says a country overseer, ‘for the industrious—no inducement to learn the useful arts of agriculture. The consequence,’ he proceeds to say, ‘is such as may naturally be expected. While the number wanting employment is annually increasing, the number of real agricultural labourers is very much decreasing; a very great proportion of those wanting employment being unable to perform any kind of labour that requires the least skill; they can neither plough, nor sow, nor hedge, nor thrash, nor perform other skilful operations; mere manual labour is all that is to be expected of them, and of this they are generally extremely sparing. The system of thrashing by machinery, now generally adopted by farmers, was originally resorted to, and still continues to be practised as a matter of necessity: the mode of thrashing by hand is generally deemed the most economical; thrashers, however, are rarely to be found, and few of those are to be trusted. Good ploughmen are likewise much more rare than formerly.

merly. The number of skilful and honest labourers must continue to decrease while all receive, indiscriminately, the same rate of wages.*

If any nation could find safety in the multitude of its counsellors, England would have been extricated from its difficulties ten years ago, when advice to the legislature came pouring in from all quarters. The silliest and the soundest heads were busied alike for the public weal—the former in recommending some desperate prescription, which, like a quack's nostrum, was to effect a certain and immediate cure; the latter in inquiring how the existing evil might be mitigated, and its increase at least, if not its recurrence, prevented. One hero, who regarded the national debt as the millstone about the neck of the sinking nation, was for cutting the string and letting the national creditors escape as they could. Another, who called himself the Hermit of Marlow, proposed that the question of parliamentary reform should be put to the vote throughout the united kingdom: that for this purpose three hundred persons should be commissioned by a meeting at the Crown and Anchor Tavern, to go through Great Britain and Ireland, dividing them into so many districts; that each commissioner should personally visit every individual within his district, take his vote, and obtain from him 'any explanation or exposure of his sentiments which he might choose to place on record;' and that, if the majority, as the said Hermit was fully persuaded they would, should be in favour of the said reform, the Crown and Anchor meeting was then to require and exact from the House of Commons its due submission to the national will. Towards the expense of the commission, the Hermit offered one hundred pounds, being the tithe of his income! Another of the Public Council, who came forward with advice upon this emergency for the good of his country, delivered an opinion, that the payment of tithes, and the law of primogeniture, were the two great causes of poverty; and it followed in strict reasoning, that the causes being taken away, the effect would cease. Nevertheless, he proposed, as auxiliary measures, (among other suggestions almost equally judicious,) a tax upon waste lands, for the purpose of rendering them productive; and a tax, also, for the benefit of agriculture, upon—what, for a ducat?—upon rooks' nests,—'a considerable tax upon rooks' nests, to be paid by the owner or occupier of the lands on which they were built!' Had this part of his advice been adopted, the appropriate reward for the ingenious author of such a tax, would have been to have appointed him collector and inspector, with authority to levy a distress, in default of payment, upon the eggs and young birds. Another speculator (one whose intentions and acquirements were evidently such as entitled him;

* Poor Laws England's Ruin, 1817, p. 5.

even in his aberrations, to respect) discovered, that the law of gravitation is 'the only law of strict equity which can regulate and support the order of society in the payment of taxes, without either shackling the industry of the people, or exciting any feelings towards each other than those which spring from justice and truth.' This law, 'which retains in order and harmony the great bodies of the universe, by the *fiat* of the Almighty,' was now, by this discovery, applied to regulate and support the general order of society, in conformity with the system of the universe: he demonstrated, mathematically and algebraically, its fitness and application, and supported his diagrams and demonstrations by scripture!

But while so many heads, some of which were empty and others too full, were bringing forth their lucubrations for the public weal, saner minds were busied with the same intent, and the legislature entered into a serious investigation of the existing evil. When Mr. Whitbread, in the year 1796, brought forward a motion for fixing the minimum of wages, Mr. Pitt* said, it was desirable that an annual report concerning the poor 'should be made to parliament, and that parliament should impose upon itself the duty of tracing the effect of its system from year to year, till it should be fully matured; that there should be a standing order of the house for this purpose; and, in a word, that there should be an annual budget opened, containing the details of the whole system of poor laws, by which the legislature would show that they had a constant and a watchful eye upon the interests of the poorest and most neglected part of the community.' Greatly is it to be wished that these benevolent thoughts had proceeded farther than a wish, and that Mr. Pitt had carried them at once into effect. The immediate proposal of such a standing order would have added in a considerable degree to his then popularity and to his permanent reputation. The data which such a budget would have furnished were in a great measure supplied when the committee upon the poor-laws was appointed, by the returns of the population and of the poor,—returns without which, or any thing of the kind, essential as they are to the purposes of sound policy, the English government had gone on till the commencement of the present century;—so little leisure for objects of great and permanent utility had been left it by the all-absorbing considerations of war and finance, and the perpetual strife of party! The subject, when forced at last upon the legislature by a cry of universal distress, was thoroughly examined in all its bearings; and the result might be referred to as an example of the sobriety and sagacity with which momentous questions are treated by British statesmen, when their sole object is to come to

* Parliamentary History, vol. xxxii., pp. 711, 712.

the most equitable conclusion upon the surest grounds. Accordingly all intention of sudden or extensive alterations was disclaimed, all hasty and harsh measures rejected. Mr. Pitt's opinion was remembered, when he declared against any attempt at establishing by authority what might be better accomplished by the unassisted operation of principles. Remedies were applied to such admitted evils as could be removed without the hazard of introducing others and greater in their stead. The principle of the poor-laws was recognised in its full extent; those laws which, as Mr. Whitbread well said, embodied in our statute-book the great Christian maxim, of doing unto others as you would that they should do unto you; those laws which were 'projected and carried into execution under some of the wisest statesmen that ever presided in the councils of any country; and which were not the sudden production of one particular time, but which had occupied the attention of the legislature during the whole of Elizabeth's long and prosperous reign.* A recurrence to the spirit and letter of those laws, in distinguishing between the industrious pauper and the idle, was strongly recommended, and enactments were passed for better enabling the parochial authorities to make the necessary distinction. A reasonable expectation was held out, that an improvement in the condition and moral character of the labourers (each improving the other) would be effected by national education and by savings' banks, which were then both in progress; and in this opinion the country rested, well satisfied with the diligence and discretion which had been exercised in the inquiry. Great exertions had been made meantime throughout the kingdom for alleviating the immediate distress, especially by employing hands, that must otherwise have been idle, in improving the public roads; the paroxysm of the disease passed over; and the nation seemed to feel something like hope, if not confidence, that the remedial measure which had been adopted would soon reduce the evil within its ordinary bounds, and eventually raise the character and thereby better the condition of the poor.

How far these hopes might have been realised if things had held on in their ordinary course during the last ten years, we have not been permitted to see, the steam-engine having, in its consequences, affected the peasantry as much as the manufacturers, but with more direct and unequivocal injury. It has produced an immigration of Irish labourers, who are brought over by the steam-packets at as cheap a rate per head as Irish pigs; and who, as soon as they are landed, spread themselves over the country in all directions, ready to undertake any kind of work for any wages that may be given them; and if they can get no wages, willing to labour

* Mr. Whitbread's Speech on the Poor Laws, Feb. 19, 1807.

for merely their day's food. The steam-packet, in the apt language of Sir Henry Parnell, may be called a floating bridge, for the transport of such persons. And the immigration was not only infinitely increased, in consequence of the facility which is thus afforded; but other and fearful circumstances have made it of a character totally different from that of any former time. The men who formerly came over, came over in harvest time, a season in which all hands are in employ, insomuch, that when there existed severe statutes against roving labourers, certain exceptions were made on this account. When that season was over, they returned to their own country, the wages which they had received enabling them to discharge the extortionate rent screwed from them. The poor fellows came in hope and returned in gladness, having worked cheerfully as well as willingly; and though, perhaps, there might be a few more breaches of the peace during their stay, than occur at other times, the weeks of their tarryance in England were, probably, to them the most peaceable, as well as the most profitable, of the whole year. This periodical passage and repassage, while it continued within bounds, was highly beneficial to the one people, and, on the whole, not injurious to the other. It happened, however, some ninety years ago, that the Irish came in greater numbers than usual, looking upon England as a land in which work and wages were always to be obtained; and they let themselves to any kind of employment, at a lower* rate than would either satisfy or suffice the English labourer. This was regarded by our poor as an invasion of their patrimony; it was, therefore, laid hold of as a cause for popular complaint by the disaffected, who, in the hope of overthrowing the minister, and subverting the Protestant succession, were at that time, upon occasion of the Gin Act, endeavouring to excite riots in London; and in the disturbances which broke out, but were easily suppressed by a vigilant government, a cry was raised, of 'Down with the Irish!' This manifestation of popular temper, although, happily, no outrage ensued, appears to have checked the influx of Irish labourers; nor, till of late years, did any other evil arise from the number of those who came over here with an intention of tarrying, except some increase in the criminal kalendar, and in county charges for the removal of the casual poor. But just as the steam-packets came into full use, and, as it were, bridged the Channel for their passage, circumstances, which led to the present irruption, rather than immigration, were beginning to operate in Ireland.

* The master builders who were then engaged in erecting Shoreditch church, turned off at once a great many hands, and engaged Irish labourers in their stead, at little more than half the daily wages.

He who desires to form for himself a just opinion of the state of Ireland, should peruse the Digest of the Evidence upon that great and momentous subject, by Dr. Phelan and Mr. Mortimer O'Sullivan—a work of such great utility, and so excellently performed, that even two persons of their high character and distinguished abilities may be deemed to have worthily employed themselves in executing it. There it may be seen, from the concurrent testimony of persons, otherwise sufficiently contrarious in opinion, what has been the effect of granting the elective franchise to Roman Catholic freeholders of forty shillings a-year. Were a statesman of Machiavelli's powers (but under the influence of better and wiser principles than can be hoped for in an Italian of the fifteenth century) to compose a treatise upon misgovernment, he might draw examples for the theme, in all its parts, from the history of Ireland. But even in that history, which so abundantly exemplifies every possible political error of omission and of commission, a measure of grosser and more egregious mispolicy than this is not to be found. The want of a respectable yeomanry is one main cause (among secondary causes) of the evils under which that country suffers; this measure has led the Irish gentry, instead of encouraging the growth of such a yeomanry, 'to parcel out their land among a mob of wretched cotters,' for the sake of political influence. 'The security of the Protestants in Ireland,' says Mr. Blake (himself a Romanist), 'is in the strength of property against number; what you have done is to grant to the Roman Catholics a privilege, in which number tells against property.' The immediate effect of the measure was, to give a great increase of power to the Irish aristocracy, than whom no men could possibly deserve it less; the second, and not less certain consequence, was, to transfer that power to the priests, the only men who could possibly make a worse use of it. 'I have seen such freeholders,' says Archdeacon Trench, 'going into the county town in troops, at the time of an election, with a little man mounted upon a wretched mule, and with a thonged whip, as if in the act of driving them. I do not say,' added he, 'that I saw the man strike the poor people.' But this was the aristocratic driver; the priest carries the whip for use!

For a time, the Irish gentry vied with each other in raising crops of these mushroom voters. The peasantry could not increase and multiply faster than suited the present views of their short-sighted landlords, and the ultimate ones of their far-sighted priests. The landlords had sown the dragon's teeth for the sake of a crop of heads, to be counted at elections. They had not taken into their consideration, that legs and arms, also, would be produced;

duced ; legs, which would march wherever the priest, or Captain Rock, might please to give the word of command ; and arms, which, if employment were not devised for them, would find work for themselves. Becoming suddenly, as it appears, sensible of this, they became as desirous to reduce the number of these tenants, as they ever were of increasing them. If their own interest, for the welfare of the miserable tenants themselves, should render this policy necessary, it must be carried into effect considerately, wisely, and humanely, with due preparation. A system that looks only to ejection from Ireland, and deportation to England, will produce a state of things in both countries of which it is more easy to see the consequences than the end.

When the population of Ireland was estimated at one million and a half, the wretched condition of the peasantry was such, that Swift wrote his *Modest Proposal*, treating it with a revolting irony, for which the wisdom of his views, the goodness of his intention, and the bitterness of his heart, can scarcely obtain forgiveness. The wretchedness he describes, as produced by the 'oppression of landlords, the impossibility of paying rent without money or trade, the want of common sustenance, with neither house nor clothes to cover them from the inclemencies of the weather, and the most inevitable prospect of entailing the like, or greater miseries, upon their breed for ever ; the state of things being such, as existed only in this one individual kingdom of Ireland, and in no other that ever was, is, or, I think, (says he,) ever can be upon earth.' The population is now computed at seven millions, of which one is believed 'to obtain a livelihood by mendicancy and plunder !'* and the great body is in a state of extreme misery, destitute of what in England would be considered the necessities of life. 'It is a subject,' says Mr. Blackburne, 'on which an Englishman can scarcely be said to have the materials even for belief.' As long as there was room to burrow and breed, the increase of misery in every succeeding generation merely kept pace with the increase of numbers ; but the aggravation has been tremendous from the time when the landholders began to think it expedient to thin their estates, not in individual instances here and there, but systematically throughout the country. Every proprietor at this time conceives that it is his clear interest to rid his estates of what he considers a superabundant population, and keep them free from it ; in some cases, this, it may be feared, is the only feeling they have upon the subject. 'The expulsion of this superabundant population is now generally considered the primary step, preparatory to all other improvements ;' 'it is universally

* Digest of Evidence, vol i., p. 14.

adopted,'

adopted,' says* an Irish gentleman, 'as the first measure, on the estate of every improver; no plantations, no ditches, no walls, no improvements of any description, can possibly be carried on, as I found by experience, while that population is permitted to continue on the property.' The custom of such a tenantry is to throw the ground into a sort of commonage, and when this gentleman attempted to improve his estates, by planting, ditching, and fencing, without ejecting them, the planting he had to renew three times, the ditches were broken down, and all that he did was destroyed. Above eleven hundred persons were ejected from that estate, without resistance on their part, because, having settled there during the proprietor's minority, and by the permission, or rather negligence, of careless agents, the poor men themselves acquiesced in the justice of the proceeding; and as the proprietor was at the same time engaged in extensive works for embanking lands from the sea, he was enabled to employ a great many of them at eight-pence a day. 'But many,' he says, 'having no means of earning an honest livelihood, resorted, from necessity, to thieving and vagabond habits for support.' Such an experiment could not, he thought, have been made with equal safety in either Tipperary, or Cork, or Limerick. In that latter county, however, the system is universally† acted upon; but in some cases it has been necessary to call in military aid; and in others, murder and arson, *more Hibernico*, have ensued.

'Is it not a matter of extreme danger,' was asked by the committee,‡ 'for any tenant, in the present state of the country, to take possession of land from which others have been dispossessed?' 'The greatest possible danger,' was the answer; 'I think his life would be immediately sacrificed.' 'Is there not a combination existing among the population of the country, to co-operate in vindictive measures against any tenants taking possession of lands, from which the former tenants have been turned out?' 'It has been so as long as I remember,' was the reply; and that it had been so from time immemorial, might have been added, with equal truth. But at no former time has the system been acted upon; at no former time have the proprietors proceeded upon a determination of thinning their tenantry, and throwing down their miserable hovels as soon as the leases fell in. There has been no former misery resembling it in kind or in degree. 'A poor § man thus dismissed, with his family, from his dwelling and land, with, perhaps, one or two cows, a few sheep, or a horse, the whole of which may not, at existing prices, be worth five pounds, seeks, in the first instance, to procure a lot of land from some

* Third Report, p. 409.

‡ Third Report, p. 131.

† First Report, p. 339.

§ First Report, p. 305.

middle-man, who has cleared the land of the pauper tenants whom he had previously ruined, and who is induced to take him as tenant, because he possesses a cow, a horse, or some sheep. The rent is such as the middle-man chooses to impose, the tenant being willing to promise anything rather than go into a town, where he knows he cannot find employment; and hoping to get subsistence for a year or two on his new holding. But at the end of a year, all that he has is seized for his new master, and he is ultimately compelled to seek an asylum in some hovel or town, trusting for his support to the precarious chance of daily labour. This, it should be observed, is a favourable case—this is a year's respite from utter destitution. Let us take the instance of a certain farm, that had forty families residing on it, thinned in this manner. The farm might be five hundred acres, including a great deal of bad land. The forty families consisted of two hundred individuals. When the lease fell in, in pursuance of the general system adopted among the landlords, twenty-eight, or thirty of those families were dispossessed; they were allowed to take with them the old roofs of the cabins, that is, the rotten timber and rotten straw, and with these they contrived to erect sheds upon the highway. The men could get no employment, and the women and children had no resource but to go begging; and it was a most affecting sight, to behold them upon the highway, not knowing where to go.* Well, then, might Mr. Tighe say before the committee, that it would be the bounden duty of the legislature to interfere, and check this system of thinning the population until some means were devised for saving the unfortunate people from the effects of it, as now pursued; that the peace of the country or the security of property is utterly incompatible with the existing state of the population; that it is impossible for those who have anything in that country to be safe from plunder, or scenes worse than plunder, if something is not done, either by removal of the redundant population to places where they can honestly subsist, or some means of furnishing employment in Ireland provided; that every day the labourers of Ireland, male and female, are flocking to England, in search of employment; that all who can find their way will come here; that this, or a system of pillage in Ireland, or extinction by famine and disease, must be the consequence; and that, from one or other of these consequences there is no escaping, unless the people are sent to the colonies, or employment found for them at home.'

Meantime, till one or other, or both, be put in execution, the debarkation of these wretched outcasts upon the British

* First Report, p. 314.

shores will be continued. It is worthy of remembrance, that Ireland suffered at one time from a nuisance of the same kind, occasioned by the magistrates and parish-officers on the western coasts of England, who for a good while followed the trade of exporting thither their supernumerary beggars, in order (says Swift) to advance the English Protestant interest among us; and these they are so kind as to send over gratis, and duty free. I have had the honour (he says) more than once to attend large cargoes of them from Chester to Dublin, and I was then so ignorant as to give my opinion that our city should receive them into Bridewell; and, after a month's residence, having been well whipt twice a day, fed with bread and water, and put to hard labour, they should be returned honestly back as cheap as they came. The proposed remedy would have fallen upon the wrong parties; for however richly these vagabonds might have deserved such fare with such accompaniments, they were not the delinquents in this case: but Swift would not seriously have advised it; he was one of those men who speak severely and act compassionately, cased in as hard a husk as the cocoa-nut, but with the milk of human kindness in the kernel. The nuisance which he describes proceeded from an abuse of power on the part of certain local authorities, for which they might have been punished by damages; and which, no doubt, was effectually checked as soon as it was complained of. The present immigration of paupers into Great Britain is of infinitely greater magnitude and moment. That was a local nuisance; this is a public evil—the evil effect of an evil cause—and, in its turn, the cause of other effects as evil. Its immediate tendency is to reduce the wages of labour, which are already injuriously low, and thereby to debase the English and Scotch labourers to the condition of the Irish,—that is, to the lowest condition in which animal life can be supported. Born and bred in wretchedness, the Irish are contented to live without those decent comforts the want of which would shame a Scotchman or an Englishman. Not less direct is the tendency of this deportation to worsen the moral habits of our own people; a mischief which is complained of by the Scotch witnesses; and for its effects upon the public peace, we need not go to Scotland for evidence. There is another thing to be borne in mind. It was part of the operations designed by the Irish conspirators, in 1798, to send over as great a number of United Irishmen into this country as could be done without exciting suspicion; and to have a chosen and sworn body of them in London, ready to co-operate in an insurrection which they relied upon their English associates for raising, and in which these Irish were to take upon themselves the most desperate part of the execution, though they were to be kept

kept wholly ignorant of what that precise service was till the time of action came. We have seen by what causes the present influx is occasioned; neither faction nor treason have produced it, nor the ever-restless policy of the Romish priesthood. But faction and treason are ready to take advantage of it; and he must know little of the policy of the Romish church who can suppose that it is not on the watch for every opportunity of increasing the number of Roman Catholics in Great Britain. And if there could be a doubt of the disposition with which their constant debarkation upon our coasts is regarded by the movers of mischief in Ireland, they have removed it by their public speeches. The Guy Fauxites in that country, who carry on their operations, not secretly and by lantern-light, but in broad day, in defiance of the government and of the laws,—who pass and print their resolutions for intimidating the members of the legislature, and who publish, with perfect impunity, harangues which would be deemed treasonable by any other government under heaven, and would not have escaped punishment from a British government in any other age;—these men have boasted of the number of their countrymen in England, and reminded us that they are able, upon occasion, to make a glorious bonfire of London!

This consideration belongs to another subject. How to prevent the immigration of an ejected and destitute population into a country already burdened with the great and increasing numbers of its own poor, is a pressing question which may be calmly considered. 'It thwarts no common or private interest among us,' and, therefore, if any question may be examined dispassionately in this distempered nation, this may be so discussed. All parties may come to it with fair minds, and the sincere desire of adopting the best remedial measures, as they would for stopping the plague, if the anti-contagion philosophers had succeeded in obtaining a bill for its free importation. When any of these unhappy strangers fail to obtain a livelihood, we know that they may be sent back to Ireland; and that, although the poor-laws do not extend to that part of the united kingdom, the old law of England, by which every parish is bound to maintain its own poor, holds as good* there as any other part of our common law, a point which the proprietors, perhaps, have not been accustomed to consider, but which they, and especially the large class of absentees, would do well to bear in mind. But to pass these poor creatures back, objects of compassion as they are, were a miserable expedient. 'The practice of sending back vagabonds to their parish,' said Sir Josiah Child, 'I have seen many years to signify as much as

* Swift has some excellent remarks upon this subject, in his *Proposal for giving Bages to Beggars*.

ever it will, which is just nothing of good to the kingdom in general, or the poor thereof, though it be sometimes to some of them a punishment without effect.' This would be the case if Ireland could possibly support the swarms of which the landholders are now endeavouring to rid themselves; and, in point of fact, when any of these outcasts are reshipped from one port, they make their way back to another as speedily as possible. They are not only eager themselves to come over, but others are eager to send them; 'subscriptions are raised in Ireland for the purpose of landing these miserable outcasts upon our coasts, and fearing that, if sent in large quantities,* they might be returned, the mode pursued was to send them over by forties, giving them money to pay their way, and support them a few days.' Some means for preventing such an exportation might be devised, but none that could preserve this country from a very mischievous influx of such people. Moreover, we have taken Ireland for better for worse, and must bear the worst consequence of the union till we have made the best of it, as it is our duty to do.

In Swift's days, Ireland was 'the only Christian country where people, contrary to the old maxim, were the poverty and not the riches of the nation; and where the blessing of "increase and multiply" was by man converted into a curse.' England and Scotland are in a similar condition now; the circumstances which have brought them to it are different, but the effect is the same, differing only in degree, and rapidly approaching to that same degree of the lowest degradation. Far greater numbers might be supported by the land even in Ireland, but not under the existing arrangements of society; and those arrangements cannot undergo any great or sudden change without bringing on evils more dreadful than that which at this time calls for the prompt interference of government, and which, by such interference, may be soon alleviated, and eventually removed. But till there be that interference, it is increasing, and will continue to increase. You cannot check population. Miserable poverty tends only to accelerate it, for it is only among the middle classes that prudential restraint is found; and, if it be accurately affirmed, that the proportion of marriages in England is smaller than in almost any other country, the inference is far from consolatory; it would follow, that in those classes that consideration is regarded too much, for among the poor it is almost totally unknown. There are few labourers of either sex who live to old age unmarried, scarcely any, it has been said, of tolerable character; and this remark may be confirmed by any person's observation. It is in vain, by any prospective enactment, such as eco-

* Third Report, p. 465.

nomists have proposed, to war against a propensity which, taken in all its bearings and consequences, is far more frequently a means of elevating and purifying human nature, (blessed be God, who, in his wisdom and his goodness, has appointed that it should be so!) than of lowering and depraving it. It is idle, or worse than idle, to dream of checking it by pulling down cottages; the want of which in sufficient numbers has been justly noticed by Sir Egerton Brydges as one of the most cruel characteristics of the times. 'Thus to deprive the poor of comfortable habitations, may be a shift resorted to,' says Mr. Courtenay, 'by farmers and others in the middling classes, for preventing them from gaining settlements; but surely it is not equally probable that the owners of landed estates would have recourse to this revolting and distressing method of lightening the charge upon their property.'

Let it be remembered, too, that early marriages, among the poor, have, at least, the effect of keeping down the proportion of illegitimate births,—which is estimated at one in twenty; and that, however inconvenient they may be, at present, in the order of society, whatever renders them so, is so far injurious to human happiness,—is so far an evil,—is so far indicative of something faulty, something erroneous in society; for they are in the order of nature, which may never with impunity be contravened. Here it is, that the poor have some compensation for the inequality of their lot. The domestic affections are not foregone by them, as they are of necessity by so many, and of supposed necessity by so many more, in the middle and higher ranks of life. Those feelings, the value and importance of which can but faintly be apprehended while they lie undeveloped in the depth of our being, are not pent up in the poor, but are called forth in their natural course;—they are worth all that is paid for them, even when they cost us most. An English gentleman, in his evidence before the committee, repeated, with satisfaction, an answer, which he had received from many of the poor in his parish, when he had reasoned with them upon the ill consequences of early marriages: he had the gratification, he said, of hearing them say, 'You are quite right; the earlier we marry, the sooner we shall have a family, who will be tripping up our heels; and turning us into a poor-house, and taking our work from us!'^{*} This gentleman's evidence is of great importance, evincing him to be a truly valuable, as well as able and active, member of society; but, in regarding such a reply with pleasure, he felt as a mere political economist, losing sight of higher considerations. Sorry, indeed, should we be if such a reply were to be taken as a sample of English feeling,—mortified for our national character,—hopeless for our country, if we could

^{*} *First Report, p. 841.*

believe that the fifth commandment were so set aside in practice among the poor! The answer of an Irish peasant, if he be reasoned with in the same strain, is invariably to this tenor: * 'Sure, children are the greatest blessing a poor man can have; they are a help to him as they grow up; and keep him from starving when he grows old!' If the English labourer, who has the poor-rates to rely on (and relies on them, under their present administration, too readily,) is not moved by this latter consideration, the former, nevertheless, exists, for him, in its full force. It has been said by a writer, whom this part of his subject has warmed into true eloquence, that in that station of society, 'the parental affections exist, perhaps, in their greatest vigour; and that the attachments of lower life, where, independent of attachment, there is so little to enjoy, far outstrip the divided, if not exhausted, sensibility of the rich and great.'† This is true, so far as it compares the peasant with 'the

* Keating's Letter to Mr. Goulburn, p. 22.

† Summary View of the Report and Evidence relative to the Poor Laws, by S. W. Nicoll, York, 1818. In praising the eloquence of this writer, we had the following passage in mind, contrasting the moral and religious education of a charity-school, with that which may and ought to be, and by a little inspection and encouragement from those whom it greatly concerns, might easily, and, generally, be imparted at home.

'I listen with great reserve to that system of moral instruction, which has not social affection for its basis, or the feelings of the heart for its ally. 'It is not to be concealed that everything may be taught, and yet nothing learnt; that systems, planned with care, and executed with attention, may evaporate into unmeaning forms when the imagination is not roused, or the sensibility impressed.

'Let us suppose the children of the district school; nurtured with that superabundant care, which such institutions, when supposed to be well conducted, are wont to exhibit. They rise with the dawn; after attending to the calls of cleanliness, prayers follow; then a lesson; then breakfast; then work, till noon liberates them for, perhaps, an hour, from the walls of their prison, to the walls of their prison-court. Dinner follows, and then, in course, work, lessons, supper, prayers; at length, after a day, dreary and dull, the counterpart of every day which has preceded, and of all that are to follow, the children are dismissed to bed.

'This system may construct a machine, but it will not form a man. Of what does it consist? Of prayers parroted without one sentiment in accord with the words uttered; of moral lectures, which the understanding does not comprehend, or the heart feel; of endless bodily constraint, intolerable to youthful vivacity, and injurious to the perfection of the human frame.

'The cottage day may not present so imposing a scene; no decent uniform; no well-trimmed locks; no glossy skin; no united response of hundreds of conjoined voices; no lengthened processions, misnamed exercise; but if it has less to strike the eye, it has far more to engage the heart. A trifle in the way of cleanliness must suffice; the prayer is not forgot; it is, perhaps, imperfectly repeated, and confusedly understood; but it is not muttered as a vain sound; it is an earthly parent that tells of a heavenly one; duty, love, obedience, are not words without meaning, when repeated by a mother to her child. To God, the Great Unknown Being, who made all things, all thanks, all praise, all adoration is due. The young religionist may be, in some measure, bewildered by all this; his notions may be obscure; but his feelings will be roused, and the foundation, at least, of true piety will be laid.

'Of moral instruction, the child may be taught less at home than at school; but he will be taught better; that is, whatever he is taught, he will feel; he will not have abstract propositions of duty coldly presented to his mind, but precept and practice will

——‘ the high-born, or the wealthy man—
 Who looks upon his children, each one led
 By its gay handmaid, from the high alcove,
 And hears them once a day;’*

but it fails, with relation to the middle and happier ranks of life, to whom circumstances allow, and who allow themselves leisure for the only earthly enjoyment that can wholly satisfy the heart of man.

There is more of this in humble life,—more of this virtue, and of the happiness which is its sure reward, than they who look only upon the surface of things are apt to imagine. Rewards were proposed in the better days of agriculture, by the Bedfordshire Agricultural Society, for such men as should have brought up the largest families upon the wages of labour, without parochial relief. Mr. Whitbread assented to the proposal, without expecting that it would bring forth any claimants. At the first distribution, he was surprised to find ‘ swarms of candidates for the inspection of their certificates; those certificates having been required, in a way to preclude the possibility of fraud;’ and he was not less affected by the emotion manifested, even to tears, by those to whom the rewards were adjudged. He could not, he says, help exclaiming to the farmers about him: ‘ Do you see this sight? Could you have believed the existence of these men, if they had not been produced before your eyes? Let it be a lesson to us. The idle, the profligate, and the clamorous, are constantly obtruding themselves upon our notice. They defraud, irritate, and fatigue us, and we are apt to judge and condemn all their brethren in consequence of this misconduct. Virtue is patient, silent, and unobserved.’ The alehouse and the poorhouse, smuggling and poaching, and the poison of the liberal press, which is carried everywhere, are doing all that can be done to sap and destroy this virtue and this happiness; the more needful is it, that every endeavour should be made for preserving and promoting that on which the public weal depends.

Extreme poverty also saps and destroys it; and to that degree of poverty the condition of the labourer is tending, and must be brought, unless channels are opened for a constant and regulated stream of emigration. For population must and will go on increasing. No laws nor regulations can prevent this. As Lord Haversham said once, in parliament, upon a different subject, ‘ A

will be conjoined; what he is told it is right to do, will be instantly done. Sometimes the operative principle on the child’s mind will be love, sometimes fear, sometimes habitual sense of obedience, and it is always something that will impress, always something that will be remembered.

‘ Let it not be imagined that I am willing to deprecate the benefits of ordinary juvenile education; I estimate them, I trust, at their full value, and only say, to the theory of the school—add the practical influence of domestic feeling.’—p. 67—59.

* Landor.

man might as well endeavour to stop the tide at Gravesend with his thumb.' We may smile and wonder at the check positive, or, rather, superlative, which was gravely proposed last year, in Germany, by the counsellor of government, Weinhold, whom Mr. Malthus has frightened out of his wits: and we may shudder at the application of Mr. Malthus's doctrines, made by certain wretches of the radical school; for whose writings the pillory and a pelting shower of popular indignation would have been the deserved and proper punishment, if there were not some offences of such a nature, that it is better they should go unpunished in this world, than be brought into light and notice. The poor will continue to increase and multiply, notwithstanding the schemes of madmen and the devices of men who are the opprobrium of humanity. The diminution in the rate of mortality, which, by whatever causes to be explained, has certainly taken place, and, to a great degree, within the last half century, accelerates this increase; and nothing can be more preposterous than to suppose it can be checked. Even those moral and prudential considerations which, while the poor are miserably poor, never will be regarded, would little tend to lessen it, could they be made as prevalent and as influential as it is most desirable they should be. They would render marriages less early and less improvident, but not less numerous, nor less prolific. The better you make men—the more you improve their moral nature—the more surely will they yearn after the enjoyment of domestic affection; and it is ascertained, as the result of observation,* on an extensive scale, that whether women marry as soon as they are marriageable, or six or seven years later, they have just as many children in the course of a certain time. Marriages, therefore, when prudentially deferred, would have the excellent effect among the poor, of bettering their condition, but not of keeping down their numbers. The poor are the prolific portion of the community. Increase and multiply they will and must; it is in the order of nature and of Providence that they should; and woe be to the nation, whose institutions should strive against that order! Our duty is to provide for this necessary increase; and the time is fast approaching, when this must be regarded as one of the most important parts of the business of the state. Because it has not been so regarded in time, it is, that the increase of population, instead of a blessing, is to us an evil at this crisis,—great, pressing, and all but insupportable.

There is another point which should be impressed upon the public: that, as this natural increase must be expected to go on, so also will those causes continue, which are operating for the increase of pauperism, and, consequently, of individual misery, extensive wretchedness, and national distress. Machinery will be

* Minutes of Evidence on Friendly Societies, 1827, p. 42.

brought still further into competition with human labour : in the present state of mechanical science (and, let us add, of political science also !) this is inevitable ; and not less certain is it, that we shall consequently suffer at intervals, more or less frequent, under that disease, which, in its hot fit, is mistaken for a symptom of public health, and in its cold one, shakes the body of the nation like an ague. The spirit of trade is short-sighted and rapacious. There was a curious example of this in Canada, when that province belonged to the French. The trade of hunting was pursued with such eagerness, for the sake of skins, that several species of animals were wholly extirpated from the country within the hunters' range, and the storehouses of Quebec were filled with peltry in such abundance, that the whole demand of France could not take off the supply. Manufacturing greediness sacrifices a nobler species ! At this very time, when the trade-barometer is but beginning to rise from its lowest point of depression, the Manchester newspapers put forth a display of our productive powers as if for exultation : they tell us, that there are in the United Kingdom fifty-eight thousand looms propelled by water and steam, and that they are manufacturing at a rate which, allowing six yards for the yearly consumption of one person, would supply 62,700,000 persons *per annum* ! There is a popular belief that the foundations of some of our most splendid and venerable edifices are laid upon woolpacks : one might suppose, that the great fabric of British prosperity rested upon cotton ; that the two purposes for which human beings are sent into this world, are to manufacture it and to wear it ; that the proper definition of man is a manufacturing animal, and that the use for which children are created is to feed power-looms !

So long then as men in trade are actuated by selfishness, which is the spirit of trade, and as competition, which is the life of trade, continues unrestrained, so long will a manufacturing country be liable to the distress that arises from having overstocked its markets ; and a great part of the ingenuity of this country, and no small part of its capital also, will continually be employed in bringing on this distress. But we must not suppose, that ingenuity of this kind is confined to Great Britain, or that British capital can be kept at home if channels are opened for employing it advantageously abroad. Manufacturing is an evil only in its abuse : within certain bounds it is essential to the cultivation and improvement and prosperity of a nation ; and as no nation can become either highly civilized or permanently powerful without manufactures, so we may be assured, that no great or rising nation will long be contented to receive from another country such articles of general use as it can manufacture for itself. There are secrets in trade which depend upon some accidental discovery, or upon

some art of manual dexterity, not discoverable by any research; and these secrets may be kept—till they are purchased or betrayed. But in the present state of the natural sciences (would that other knowledge kept pace with them!) there can be no secrets in mechanics or in chemistry. Whatever processes may be discovered by our chemists, the chemists of other countries can detect—whatever improvements may be made in our machinery, the engineers of other countries can imitate. Write, and orate, and legislate as we will upon the principles of free trade, there is no government (except our own) which will not act upon the plain principle, that the plain and direct advantage of its own subjects ought to be its primary consideration in such things. If skill be wanting for the first attempts, they will import from us, not our work, but our artificers, for that such persons can be prevented by penal laws from carrying their ingenuity wherever they may think it will be best rewarded, is now an admitted impossibility. The woollen, which was the great staple manufactory of England till the cotton age began, was thus carried to the Palatinate, about a century and a half ago, and to Portugal a little later: both attempts failed, from causes which it is not necessary here to explain: but in our own days, Englishmen have settled on the continent, and in more places than one, taught the people to rival our finest cloths. There are already sufficient grounds for supposing that this will soon be the case with the manufactory of cotton also: capital alone is wanting; and capital will find its way from England, wherever it can advantageously be employed—the knowledge that it is so employed to the detriment of their own countrymen will not prevent men from thus employing it. Mammon has a large family; and his children, wherever they may thrive, are ready to write over their door, with Ludlow, *‘omne solum nobis patria quia Patris!’*

It appears, then, that in the present circumstances of Great Britain, all things are tending to the increase of pauperism, and that even seasons of prosperity, as we call them, which suspend it for a time, have the sure effect of accelerating the increase afterwards. We are not arguing without certain data upon which to proceed, as Mr. Whitbread was, when he first took up the subject of the Poor Laws; doubting whether our population has augmented, and inclining, on the contrary, to think that it had decreased—we know that it has increased, is increasing, and cannot be diminished: we know also the extent of the increase, and the rate at which it advances. We know that machinery must come more and more into competition with human labour, and that seasons of over-production, and then of consequent stagnation, will continue to succeed each other in miserable alternation; that, in proportion as other nations manufacture for themselves, which every powerful, every prosperous, every ambitious and intelligent,
and

and rising nation is endeavouring to do, hands must be thrown out of employment here : that agriculture is far more likely to be depressed than encouraged, even if other things continued in their present state ; that agricultural distress acts always to the injury of the manufacturer, and that when manufactures are depressed ; that depression, in like manner, operates injuriously upon the husbandman. Meantime, an immigration of Irish outcasts is going on, and systematically supported, which keeps down the wages of both classes, and which, if it proceeds unchecked, must surely and speedily reduce the English labourer to the wretched condition of the Irish, that is, to the very lowest condition in which human beings have ever existed in any country calling itself civilised and Christian. These causes alone might but too well justify a fear that the foundations of society will give way, and the whole fabric be brought down, even if the sappers and miners were not continually at work, the battering-ram shaking its walls, and the dry-rot spreading in its main beams and timbers !

For the evils, however, of a redundant population, and the pauperism which this and other concurrent causes have produced, there is the sure remedy of emigration, for which our situation, our maritime means, and our extensive colonies afford facilities greater than have ever been possessed by any other people. Prosperity must of itself ere long have enforced us to use this remedy—the inconvenience of crowded numbers being an attendant ‘upon happy times,’ as Lord Bacon says, ‘and an evil effect of a good cause.’ So that great statesman said, when addressing James I. upon those plantations in Ireland which laid the foundation for all the prosperity that Ireland has yet enjoyed.

‘An effect of peace in fruitful kingdoms,’ said he, ‘when the stock of people, receiving no consumption nor diminution by war, doth continually multiply and increase, must, in the end, be a surcharge or overflow of people, more than the territories can well maintain ; which many times insinuating a general necessity and want of means into all estates, doth turn external peace into internal troubles and seditions. Now what an excellent diversion of this inconvenience is ministered, by God’s providence, to your majesty, in this plantation of Ireland, wherein so many families may receive sustentation and fortune, and the discharge of them also out of England and Scotland may prevent many seeds of future perturbations : so that it is as if a man were troubled for the avoidance of water from the places where he hath built his house, and afterwards should advise with himself to cast those waters, and to turn them into floods, pools, or streams, for pleasure, provision, or use. So shall your majesty, on this work, have a double commodity, in the avoidance of people here, and in making use of them there.’

But it were superfluous to adduce authorities ; the remedy is as obvious as the necessity for having recourse to it is urgent.

Abundant evidence upon every point connected with this subject has been collected by the committee, and the substance and result of their inquiries are very ably condensed in their Reports. Full information has been laid before them respecting the demand for labour, and the advantages which are offered to emigrants in the provinces of Upper and Lower Canada, in New Brunswick, Nova Scotia, at Prince Edward's Island, at the Cape of Good Hope, in New South Wales, and in Van Diemen's * Land; countries, some of which are extensive enough to afford ample room for all our swarms, and for their own increase, for an indefinite length of time before us. They have ascertained at what rate of expense per head families may be conveyed to the nearest or to the remotest of these possessions, and the cost of settling them in the North American colonies, with everything necessary for establishing themselves, and with rations for fifteen months. They have proposed that the settler should repay the whole expense of his removal and location by annual payments, either in money or in produce, commencing three years after he has been actually located, with ten shillings, and adding the same amount yearly, till the annual payment comes to four pounds, after which it is no longer to be received in kind, but in money †. That the emigrants will be able to make such repayment is considered certain by all the witnesses who are acquainted with the state of the country, and the facts necessary for forming an opinion upon the subject; that they will be willing so to do appears from the applicants themselves, who have declared that they acknowledge the justice of such an arrangement, and are sensible of the benefit which they should derive from it, and are desirous of being removed upon such terms. The committee recommend a pecuniary advance, in the nature of a loan, for the purpose of facilitating a regulated system of emigration upon this principle. They remark, that the English witnesses concur as to the expediency of raising a fund ‡ 'upon the security of the poor-rates,' toward the expense of removing paupers by emigration; and they quote the

* It ought to be remarked, but with a different feeling, that the committee examined Sir Robert Wilson, concerning the plan of the Columbian Agricultural Association, and also Mr. Stewart, Secretary to the said Association: (one of the joint stock companies which sprung up about three years ago, like mushrooms, or rather, toadstools;) published a map of the intended settlement, and another of Colombia, (at the public expense, as it appears,) showing the spots which had been granted to the Company, and thus lent, in some degree, the sanction of the committee to a scheme which proved almost as fatal to those who were decoyed into the adventure, as the notable project of Sir Gregor Mac Gregor, Cacique, or Prince of Poyais!

† 'An actual repayment of money, to be transmitted to England, is not contemplated; but a payment which should be applied in the colony, for purposes which it is not necessary to defray exclusively from the funds of the mother country.'—*First Report*, p. 7.

‡ 'On the principle of the money permitted to be raised under Mr. Sturges Bourne's Act,'

opinion of Mr. Malthus, 'that parishes would act prudently as regards their interest, in charging their poor-rates for this purpose, and that even a national tax would be justifiable for it, if a bare probability existed of the vacuum not being filled up.' But when a patient is suffering from plethora and in danger of apoplexy, where is the medical practitioner who would be withheld from bleeding him, because nature may again in a short time surcharge the vessels which had been thus relieved? A regular as well as a regulated system of emigration is required in the stage of society which we have attained: it becomes as necessary in the economy of a state as of an ant-hill, or a bee-hive.

The same readiness to incur present expense, for the purpose of present relief, and in the hope of future security, has not been found in Scotland. There, the committee say, 'it appears, from the concurrent testimony of all the witnesses, that a general disinclination would be felt to advance any sum for facilitating emigration.' There is a strong disposition among the people to emigrate, and no people make more valuable settlers than the Scotch; but there is no disposition in the country to assist in removing them; and pressing as the applications are from the suffering manufacturers in that part of the United Kingdom, the want of that disposition has prevented the committee from proposing any scheme for their relief, otherwise than as they may be eventually relieved, by turning from them the tide of Irish immigration. Happily, in Ireland there is not the same difficulty; the evil indeed is far more pressing, and the cause of that evil permanent, without any such alternation as a year of prosperous commerce affords to the manufacturers in the Lowlands. No doubt is entertained that the Irish proprietors will contribute toward the expense of a system which is the only one by which their estates can be disburthened of a destructive population. The local contributions are proposed by the committee to be employed in the removal of the emigrant to the coast, and in the cost of his passage; the rest to be undertaken by government. Previous experiments, which have succeeded well, have shown what arrangements may best be followed, and at what expense; and beginning, as they propose, with 4000 families (allowing five to each family) in the first year, increasing the number to 6000 in the second, 9000 in the third year, they calculate that each succeeding emigration will be fed by the surplus food produced by the preceding shoal. Finally, the committee propose, that a board of emigration be formed in London, having agents in Great Britain, Ireland, and the Colonies acting under their direction; and they state, in the strongest manner, their deep conviction, that whatever may be the immediate and urgent demands from other quarters, it is vain to hope

for any permanent and extensive advantage from any system of emigration, which does not *primarily apply to Ireland*, whose population, unless some other outlet be opened to them, must shortly fill up every vacuum created in England or Scotland, and reduce the labouring classes to a uniform state of degradation and misery.

There are other parts of the subject upon which we shall enter hereafter,—such as, the circumstances of those countries to which it is proposed that our emigrants should be removed, and of those to which they are invited, and the effects which such an immigration is likely to produce upon the state of society there.

NOTE to the article on Mr. Markland's proposal for a National Museum of Antiquities.

Since this article went to press, we have seen a letter from a gentleman who has recently been travelling in the North of Europe, which may furnish Mr. Markland and the Antiquarian Society with a valuable hint or two. We extract, therefore, the following brief account of the Museum of National Antiquities formed *within the last sixteen years* at Copenhagen.

The collection is kept in part of the library adjoining to Tycho Brahe's Round Tower; has been wholly formed within the last fourteen or sixteen years; and already consists of upwards of 15,000 pieces. They are chiefly, I think, male and female ornaments, composed of gold, silver, and I believe copper and brass, though with respect to these last I am not so certain,—implements of war,—and tools for domestic purposes. Some of the oldest ornaments are of very fine gold, beautifully wrought, and the gentleman by whom they were shown, said he was decidedly of opinion that the gold had, in those days, come in considerable quantities through Russia from the East. The implements of war are chiefly those which were in use among all the Northern nations; and though they are of all shapes, kinds, and sizes, I cannot take it upon me to point out those classes, which those who are acquainted with the subject would deem most remarkable. Those for domestic purposes are in amazing quantity, particularly hammers and axes. A considerable number, also, were employed for the purposes of religion.

All these are beautifully arranged, through the zeal and intelligence of the secretary, whose name I think is Auderson, (but not English or Scotch;) and spearheads, axes and hammers are seen in the most perfect preservation through all stages of the manufacture; from specimens where they are found merely blocked out from a piece of flint or granite, up to the perfect, polished, and unused state; and then again downwards through every degree of tear and wear, mending, and decay. The way in which metals and stones are employed and joined together is also very curious, from the tipping of spears and edging of axes with iron and steel, till the axes and hammers come to be wholly formed of the former metal.

This Museum of Northern Antiquities is reckoned by many to be more intrinsically valuable than any other collection at Copenhagen, and with the exception of the splendid Public Royal Library, I should think it may be fairly so considered. No pursuit seems now to be carried on in Denmark with so much enthusiasm as the collection of national antiquities, and the publication of national antiquarian books.

I ought not to omit to mention, that one of the subjects which has most engaged the attention of the members or managers of this collection is, *how they could best prevent any specimens of antiquity which might be discovered throughout the country from being lost to the society*. For this purpose they have taken all means of making it generally known over the country, that they are ever ready to give a larger price for such articles than individuals are likely to obtain elsewhere; and, by the way, they have found no sort of advertisement half so effectual, as the insertion of a paragraph to this effect in the common almanacs.

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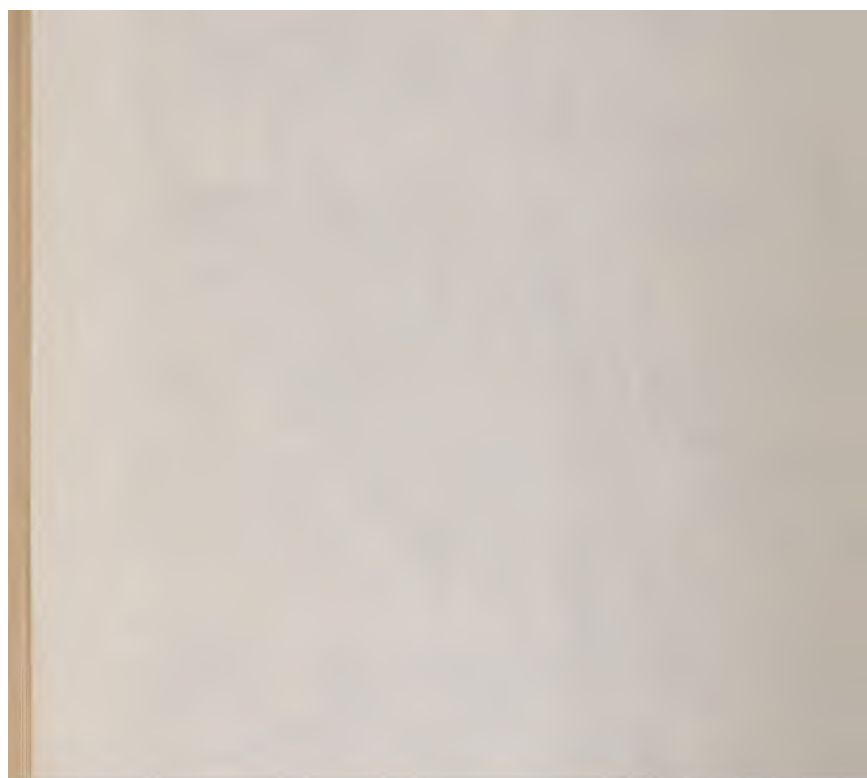
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